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Washington, Tuesday, March 6, 1945

The President

EXECUTIVE ORDER 9528

AMENDING EXECUTIVE ORDER NO. 9096 TO PROVIDE A CHANGE IN THE ORDER OF SUCCESSION OF OFFICERS TO ACT AS SECRETARY OF THE NAVY

By virtue of the authority vested in me by Title I of the First War Powers Act, 1941, approved December 18, 1941 (55 Stat. 838), and other applicable statutes, and as Commander in Chief of the Army and Navy of the United States and as President of the United States, paragraph 6 of Executive Order No. 9096 of March 12, 1942, providing for the reorganization of the Navy Department and the Naval Service affecting the Office of the Chief of Naval Operations and the Commander in Chief, United States Fleet, is hereby amended so as to read as follows:

"6. During the temporary absence of the Secretary of the Navy, the order of succession of the officers who shall act as Secretary of the Navy shall be as follows: the Under Secretary of the Navy, the Assistant Secretary of the Navy for Air, the Assistant Secretary of the Navy, and the 'Commander in Chief, United States Fleet, and Chief of Naval Operations'. In the temporary absence of all of these officers the Vice Chief of Naval Operations and the Chief of Staff, United States Fleet, respectively, shall be next in succession to act as Secretary of the Navy."

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
March 2, 1945.

[F. R. Doc. 45-3399; Filed, Mar. 2, 1945; 3:34 p. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 18—WAR SERVICE REGULATIONS

APPOINTMENT

In section 18.5 (9 F.R. 7235, 7351; 10 F.R. 2155) paragraph (f) is amended as follows:

§ 18.5 *Appointment.* * * *

(f) *Positions which become subject to the war service regulations.* The following classes of employees may be given war service appointments without prior approval of the Commission:

(1) Any person holding a position in a public or private enterprise which is taken over by the Federal Government and who thereby becomes an employee of the Government.

(2) Any Federal employee holding a position which is excepted from the Civil Service Act and rules and the war service regulations when his position is made subject to the Civil Service Act and rules or the war service regulations.

All war service appointments made under this paragraph shall be reported immediately to the Civil Service Commission.

No person given a war service appointment under this paragraph shall acquire eligibility for a classified civil service status until six months after the end of the present war. At the expiration of six months after the war, such person may be recommended for a classified civil service status in accordance with § 2.6 of this chapter: *Provided,* (i) His position becomes a permanent position in the classified civil service; (ii) he is still the incumbent of such position; and (iii) he entered on duty in such position prior to March 16, 1942, the effective date of the war service regulations.

This paragraph shall not apply to postal employees who become eligible for a classified civil service status in accordance with § 2.7 of this chapter.

Effective on and after April 7, 1943.

(E.O. 9063 as amended by E.O. 9378, 8 F.R. 13037)

By the United States Civil Service Commission.

[SEAL] H. B. MITCHELL,
President.

FEBRUARY 12, 1945.

[F. R. Doc. 45-3502; Filed, Mar. 5, 1945; 9:46 a. m.]

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THE PRESIDENT

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FEDERAL REGISTER

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NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per copy. This book contains the material in Titles 1–31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

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TITLE 7—AGRICULTURE

Chapter I—War Food Administration (Standards, Inspections, Marketing Practices)

DIRECTOR OF MARKETING SERVICES

DESIGNATION AND AUTHORIZATION TO ISSUE AND EXECUTE COMPLAINTS IN CEASE AND DESIST PROCEEDINGS

Pursuant to authority vested in me under and by virtue of Section 1591 of the Federal Seed Act, 7 U.S.C. 1940 ed. 1551 et seq., and Executive Order 9334, issued April 27, 1943, 8 F.R. 5423, the Director of Marketing Services, or in his absence the Acting Director of Marketing Services, is hereby designated and authorized to issue and execute complaints with respect to the institution of hearings for Cease and Desist Proceedings under the Federal Seed Act of 1939.

Issued this 2d day of March 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-3402; Filed, Mar. 2, 1945; 3:16 p. m.]

Chapter VIII—War Food Administration (Sugar Orders)

PART 802—SUGAR DETERMINATIONS

DETERMINATION OF FARMING PRACTICES IN CONNECTION WITH PRODUCTION OF SUGAR BEETS

Pursuant to the provisions of subsection (e) of section 301 of the Sugar Act of 1937, as amended, Executive Order No. 9322, issued March 26, 1943, as amended by Executive Order No. 9334, issued April 19, 1943, and Executive Order No. 9392, issued October 28, 1943, the following determination is hereby issued:

§ 802.13j *Farming practices in connection with the production of sugar beets.* The requirements of subsection (e) of section 301 of the Sugar Act of 1937, as amended, shall be deemed to have been fulfilled with respect to the production of the 1945 or any subsequent crop of sugar beets on any farm if soil-conserving practices are carried out in connection with the production of such crop in a manner and to the extent required for the 1944 crop under the "Determination of Farming Practices to be Carried Out on Farms in Connection with the Production of Sugar Beets during the Crop Year 1944," issued February 28, 1944 (9 F.R. 2321), and if certification thereto is made in the manner prescribed in such determination. In applying such determination to the 1945 and subsequent crops, all calendar and crop years mentioned therein shall be increased one year for the 1945 crop and by one additional year for each subsequent crop. (Sec. 301, 50 Stat. 910; 7 U.S.C. 1131; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of March 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-3487; Filed, Mar. 3, 1945; 3:19 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 67, Amdt. 6]

PART 1460—FATS AND OILS

INEDIBLE TALLOW OR GREASE

War Food Order No. 67, as amended (8 F.R. 15810, 9 F.R. 4319, 6147), is further amended to read as follows:

§ 1460.27 *Restrictions on deliveries and inventories of inedible tallow or grease*—(a) *Definitions.* (1) "Inedible tallow or grease" means all grades and qualities of inedible animal tallows, greases, and stearines produced therefrom, excluding garbage grease, wool (grease) fat, grease (lard) oil, neat's foot oil and stock, stearic acid, and red oil.

(2) "Producer" means any person whose operations result in the production of inedible tallow or grease.

(3) "Dealer" means any person who acquires inedible tallow or grease for resale, regardless of whether such person blends or mixes such inedible tallow or grease.

(4) "Manufacturer" means any person who uses inedible tallow or grease in the manufacture of any other product, including mixed fatty acids.

(5) "Inventory" means the total quantity of inedible tallow or grease owned by any person, wherever located, and all the inedible tallow or grease for which such person holds a contract for delivery to him in the future. The term shall include all inedible tallow or grease in process up to the point at which it ceases to exist as such, by reason of saponification, neutralization, pressing, distillation, or compounding with nonfatty materials.

(6) "Base period" means the period from July 1, 1944, to December 31, 1944, both inclusive.

(7) "Base period production" means the total quantity of inedible tallow or grease (i) produced during the base period, or (ii) established as the base period production under paragraph (n) hereof.

(8) "Base period deliveries" means the total quantity of inedible tallow or grease delivered to other persons during the base period.

(9) "Base period use" means the total quantity of inedible tallow or grease (i) used during the base period, or (ii) established as the base period use under paragraph (n) hereof.

(10) "Commercial quantity" means a tank car, a tank truck, a carload of packages, or a truck load of packages.

(11) "Maximum unit" means the largest single, segregate, commercial

quantity of inedible tallow or grease shipped to and accepted by any person during the base period.

(12) "Certified order" means a written order to a producer or dealer which has attached thereto or incorporated therein a certificate executed in accordance with paragraph (c) hereof.

(13) "Month" means calendar month.

(14) "Continental United States" means the 48 States and the District of Columbia.

(15) "Soap" means the water soluble product formed by the saponification or neutralization of fats, oils, rosins, or their fatty acids with organic, sodium or potassium bases, or any detergent composition containing such products.

(16) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(17) "Director" means the Director of Marketing Services, War Food Administration.

(b) *Delivery restrictions.* Except as specifically authorized by the Director, no producer or dealer shall, in any month, deliver inedible tallow or grease to any manufacturer on uncertified orders unless and until he has, before the end of such month, filled or offered to fill all certified orders received by him within the 20-day period immediately prior to the 10th day of such month, provided that:

(1) No producer or dealer shall be required to deliver or offer to deliver inedible tallow or grease in any amount less than a commercial quantity or less than the smallest commercial quantity delivered by him in the base period;

(2) No producer shall be required, in any month, to deliver or offer to deliver on certified orders from any one plant more than 30 percent of the total quantity of inedible tallow or grease delivered from such plant in such month;

(3) No dealer shall be required, in any month, to deliver or offer to deliver on certified orders more than 30 percent of the total quantity of inedible tallow or grease delivered by him in such month.

(c) *Certified orders.* (1) Any manufacturer who desires inedible tallow or grease for use in the manufacture of any product other than soap or any type, grade or kind of inedible tallow or grease except stearines may, within a 20-day period immediately prior to the 10th day of any month, transmit to his supplier a written order which has attached thereto or incorporated therein a properly executed certificate in the following form:

The undersigned hereby certifies to the War Food Administration and to _____
(Producer or dealer)
_____ that he is familiar with the terms of War Food Order No. 67, that this certificate is furnished in order to enable the undersigned to obtain preferred delivery, in accordance with War Food Order No. 67, of _____ pounds of inedible tallow or grease on or about _____, and
(Date of delivery)
that he will use all of such inedible tallow or grease in the manufacture of a product other than soap or any type, grade or kind of inedible tallow or grease except stearines. The undersigned further certifies that the receipt by him of such inedible tallow or grease will not cause his inventory to exceed the amount permitted under War Food Order No. 67.

By _____
(Purchaser)
_____
(Authorized official)
_____
(Date)

(2) No manufacturer who receives inedible tallow or grease under a certified order shall use any part thereof in the manufacture of soap or in the manufacture of any type, grade or kind of inedible tallow or grease except stearines.

(d) *Inventory restrictions.* Except as herein otherwise provided:

(1) No producer shall produce inedible tallow or grease in any quantity which will cause his inventory to exceed 1/12 of his base period production;

(2) No dealer shall accept delivery of inedible tallow or grease in any quantity which will cause his inventory to exceed 1/12 of his base period deliveries;

(3) No manufacturer shall accept delivery of inedible tallow or grease in any quantity which will cause his inventory to exceed 5/12 of his base period use;

(4) No person who, under the provisions of this order, falls within two or more of the following classifications—producer, dealer, or manufacturer—shall produce or accept delivery of inedible tallow or grease in any quantity which will cause his inventory to exceed the largest amount he is permitted to have under one of the foregoing paragraphs: (d) (1), (d) (2), or (d) (3).

(e) *Inventory exemption; maximum units.* (1) Any dealer whose inventory does not exceed 1/24 of his base period deliveries may accept delivery of one maximum unit.

(2) Any manufacturer whose inventory does not exceed 1/8 of his base period use may accept delivery of one maximum unit.

(f) *Inventory exemption; OPA ceiling prices.* (1) Any producer or dealer who can not obtain purchasers for his inedible tallow or grease at the maximum prices established by the Office of Price Administration may increase his inventory above the applicable limitations of (d) hereof, provided that such producer or dealer shall not thereafter refuse or fail to deliver inedible tallow or grease to buyers offering to purchase at such maximum prices until his inventory again falls within the applicable limitations of paragraph (d).

(2) Any manufacturer may increase his inventory above the applicable limitations of paragraph (d) hereof by purchases at prices below the maximum prices established by the Office of Price Administration, provided that such manufacturer shall not thereafter buy additional inedible tallow or grease at such maximum prices until his inventory again falls within the applicable limitations of paragraph (d).

(g) *Inventory exemption; imported tallow or grease.* Any manufacturer may increase his inventory above the applicable limitations of paragraph (d) by the acceptance of delivery of inedible tallow or grease imported into the continental United States, if such inedible tallow or grease was imported by such manufacturer or his agent, or is delivered to him by a governmental agency, provided that such manufacturer shall not thereafter accept delivery of inedible tallow or grease produced within the continental United States, except in accordance with paragraph (f) (2) hereof, until his inventory falls within the applicable limitations of paragraph (d).

(h) *Transfers between branches or plants.* The transfer of inedible tallow or grease between branches, plants, or companies owned, controlled or directed by the same person but engaged in separate activities as producers, dealers, or manufacturers, shall constitute delivery or acceptance of delivery within the meaning of this order.

(i) *Records and reports.* (1) All certified orders and all certificates executed under (c) hereof shall be retained for at least two years and shall, upon request, be submitted to the Director for inspection. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.

(2) The Director shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(3) Every person subject to this order shall, for at least two years (or for such other period of time as the Director may designate) maintain an accurate record of his production of and transactions in inedible tallow or grease.

(j) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(k) *Audits and inspections.* The Director shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of inedible tallow or grease of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(l) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action

by the Director. After said review, the Director may take such action as he deems appropriate, which action shall be final.

(m) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using inedible tallow or grease. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, a provision of this order.

(n) *Delegation of authority.* (1) The Director may, upon application, establish a base period production for any producer who did not produce inedible tallow or grease during the base period, or a base period use for any manufacturer who did not use inedible tallow or grease during such period.

(2) The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(o) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 67, Fats and Oils Branch, Office of Marketing Services, War Food Administration, Washington 25, D. C.

(p) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(q) *Partial suspension of War Food Order No. 67 terminated.* The order suspending certain provisions of War Food Order No. 67, as amended, issued October 16, 1944 (9 F.R. 12607), is hereby terminated.

(r) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., March 3, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 67, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 2d day of March 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-3398; Filed, Mar. 2, 1945; 3:34 p. m.]

[WFO 29, Partial Suspension]

PART 1460—FATS AND OILS

DELIVERY OF CRUDE COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL TO REFINERIES

The provisions of paragraph (b) of War Food Order No. 29, as amended (8 F.R. 15551; 9 F.R. 651, 3252, 4319), are suspended with respect to the delivery of crude oil to and the receipt of crude oil by refiners. Unless otherwise ordered by the Director, this suspension shall remain in effect until June 30, 1945.

This order shall become effective at 12:01 a. m., e. w. t., March 5, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of March 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-3486; Filed, Mar. 3, 1945; 3:19 p. m.]

[WFO 78-1, Amdt. 3]

PART 1599—PROCEDURAL REGULATIONS

ISSUANCE OF ORDERS RESULTING FROM VIOLATIONS OF PRIORITY OR ALLOCATION ORDERS

War Food Order No. 78-1, 9 F.R. 4321, 4319, 6202, 9945 (formerly known as Procedural Regulation 1, issued December 4, 1943, 8 F.R. 16497, and renumbered War Food Order 78-1, 10 F.R. 2155) is hereby further amended as follows:

1. By deleting the words "Office of Distribution" in the paragraph immediately preceding § 1599.1 and substituting therefor the words "Office of Marketing Services."

2. By deleting the words "Director of Distribution" in § 1599.1 (a) and substituting therefor the words "Director of Marketing Services."

3. By deleting the words "Office of Distribution" in § 1599.1 (b) thereof and substituting therefor the words "Office of Marketing Services."

4. By adding the following sentence to § 1599.26: "The order shall not become operative until five days after the service thereof, or if an application for a stay is made within such five day period, until the expiration of five days after service of an order denying the stay."

5. By deleting the words "Deputy Director of Distribution" wherever they appear in the title, or in the text of § 1599.29 and substituting therefor the words "Deputy Director of Marketing Services."

This amendment shall become effective at 12:01 a. m., e. w. t. March 3, 1945.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; and WFO 78, 10 F.R. 2155)

Issued this 2d day of March 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-3439; Filed, Mar. 3, 1945; 11:19 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—War Food Administration (Commodity Exchanges)

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

REVISION OF DEFINITIONS

By virtue of the authority vested in the War Food Administrator under the Commodity Exchange Act (42 Stat. 998, as amended; 7 U.S.C. 1 et seq.) and Executive Orders 9280, 9322, 9334, and 9392 (7 F.R. 10179; 8 F.R. 3807, 5423, and 14783), Part I of Chapter I of Title 17, Code of Federal Regulations is amended:

1. By striking § 1.3 (g) and (v) and substituting in lieu thereof the following paragraphs respectively:

(g) *Administration.* This term means the Office of Marketing Services, War Food Administration.

* * * * *

(v) *Director.* This term means the Director of Marketing Services, War Food Administration, or any officer or employee of that Administration to whom the Director has heretofore lawfully delegated or to whom the Director may hereafter lawfully delegate the authority to act in his stead.

2. By adding after § 1.3 (v) the following paragraph:

(w) *Secretary of Agriculture.* This term means the Secretary of Agriculture, the War Food Administrator, or any person to whom authority has heretofore lawfully been delegated or to whom authority may hereafter lawfully be delegated to act in their stead.

ASHLEY SELLERS,
Assistant War Food Administrator.

MARCH 2, 1945.

[F. R. Doc. 45-3401; Filed, March 2, 1945; 3:16 p. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5443]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

TAX CONVENTION AND PROTOCOL BETWEEN THE UNITED STATES AND FRANCE

PARAGRAPH 1. The tax convention and protocol between the United States and France, proclaimed by the President of the United States on January 5, 1945, effective on January 1, 1945, provide in part as follows:

ARTICLE 7

* * * * *

Royalties derived from within one of the contracting States by a resident or by a corporation or other entity of the other contracting State as consideration for the right to use copyrights, patents, secret processes and formulae, trademarks and other analogous rights shall be exempt from taxation in the former State; *Provided*, Such resident, corporation or other entity does not have a permanent establishment there.

ARTICLE 8

* * * * *

Private pensions and life annuities derived from within one of the contracting States and paid to individuals residing in the other contracting State shall be exempt from taxation in the former State.

ARTICE 14

* * * * *

Notwithstanding any other provisions of this Convention, the United States of America in determining the income and excess-profits taxes, including all surtaxes, of its citizens, or residents, or corporations, may include in the basis upon which such taxes are imposed, all items of income taxable under the Revenue Laws of the United States of America, as though this Convention had not come into effect. The United States of America shall, however, deduct from the taxes thus computed the amount of French income tax paid. This deduction shall be made in accordance with the benefits and limitations of Section 131 of the United States Internal Revenue Code relating to credit for foreign taxes.

* * * * *

ARTICLE 27

* * * * *

This Convention shall become effective on the first day of January following the exchange of the instruments of ratification.

The Convention shall remain in force for a period of five years and indefinitely thereafter but may be terminated by either contracting State at the end of the five-year period or at any time thereafter, provided six months' prior notice of termination has been given, the termination to become effective on the first day of January following the expiration of the six-month period.

Upon the coming into effect of this Convention, the Convention for the avoidance of double income taxation between the United States of America and France, signed April 27, 1932 shall terminate.

* * * * *

PROTOCOL III

* * * * *

(a) The term "permanent establishment" includes branches, mines and oil wells, plantations, factories, workshops, stores, purchasing and selling and other offices, agencies, warehouses, and other fixed places of business but does not include a subsidiary corporation.

When an enterprise of one of the contracting States carries on business in the other State through an employee or agent, established there, who has general authority to negotiate and conclude contracts or has a stock of merchandise from which he regularly fills orders which he receives, this enterprise shall be deemed to have a permanent establishment in the latter State. But the fact that an enterprise of one of the contracting States has business dealings in the other State through a bona fide commission agent or broker shall not be held to mean that such enterprise has a permanent establishment in the latter State.

Insurance enterprises shall be considered as having a permanent establishment in one of the States as soon as they receive premiums from or insure risks in the territory of that State.

* * * * *

PAR. 2. Regulations 111 (26 CFR, Cum. Supp., Part 29) are amended as follows:

(A) Section 29.143–3, as amended by Treasury Decision 5425, approved December 29, 1944, is further amended by striking out the paragraph beginning with the words "The following items" and the paragraph beginning with the words "The person paying" and substituting in lieu of such paragraphs the following:

The following items of fixed or determinable annual or periodical income from sources within the United States received before January 1, 1945, by a citizen of France residing in France or a corporation organized under the laws of France, or received on or after January 1, 1945, by a resident of France (whether or not such resident is a citizen of France) or by a corporation or other entity organized under the laws of France, are not subject to the withholding provisions of the Internal Revenue Code, since such income is, except in the case of citizens of the United States, exempt from Federal income tax, if received before January 1, 1945, under the provisions of the tax convention and protocol between the United States and France, signed April 27, 1932, and effective January 1, 1936 (see paragraph 108 of the Appendix to this part) or, if received on or after January 1, 1945, under the provisions of the tax convention and protocol between the United States and France, signed July 25, 1939, and effective January 1, 1945:

(1) Royalties derived as consideration for the right to use copyrights, patents, secret processes and formulas, trademarks, and other analogous rights, *Provided, however,* In the case of such royalties received on or after January 1, 1945, such resident of France, or corporation or other entity organized under the laws of France, does not have a permanent establishment within the United States.

(2) Private pensions and life annuities. The person paying such incomes shall be notified by letter from the French citizen residing in France, the individual resident of France, or the corporation or other entity organized under the laws of France, as the case may be, that the income is exempt from taxation under the provisions of the applicable convention and protocol. Such letter from a citizen of France, with respect to income received before January 1, 1945, shall contain his address and a statement that he is a citizen of France residing in France. The letter of notification from an individual resident of France shall contain his address and a statement that he is a resident of France. The letter of notification from a corporation or other entity organized under the laws of France shall contain the address of its office or place of business and a statement that it is a corporation or other entity organized under the laws of France, shall be signed by an officer of such corporation or entity, and shall set forth his official title. In the case of royalties derived on or after January 1, 1945, the letter of notification shall also state that the individual resident of France, or corporation or other entity organized under the laws of France, as the case may be, does not have a permanent establishment in the United States. The recipient of the letter of notification shall immediately forward such letter or a copy thereof to the Commissioner of Internal Revenue, Withholding Returns Section, Washington 25, D. C.

(B) Section 29.211–7, as amended by Treasury Decision 5425, is further amended by striking out the sentence beginning with the words "The items of fixed or determinable" which occurs in the first paragraph of paragraph (a) thereof and inserting in lieu of such sentence the following:

The items of fixed or determinable annual or periodical income from sources within the United States received before January 1, 1945, by a citizen of France residing in France which are exempt from Federal income taxation under the provisions of the tax convention and protocol between the United States and France, signed April 27, 1932, and effective January 1, 1936 (see paragraph 108 of the Appendix to this part), or received on or after January 1, 1945, by a resident of France which are so exempt under the provisions of the tax convention and protocol between the United States and France, signed July 25, 1939, and effective January 1, 1945, are described in § 29.143–3.

(C) Section 29.231–1 is amended by striking out the sentence beginning with the words "The items of fixed or determinable" which occurs in paragraph (a) thereof and substituting in lieu of such sentence the following:

The items of fixed or determinable annual or periodical income from sources within the United States received before January 1, 1945, by a corporation organized under the laws of France, which are exempt from Federal income tax under the provisions of the tax convention and protocol between the United States and France, signed April 27, 1932, and effective January 1, 1936 (see paragraph 108 of the Appendix to this part), or received on or after January 1, 1945, by a corporation or other entity organized under the laws of France, which are so exempt under the provisions of the tax convention and protocol between the United States and France, signed July 25, 1939, and effective January 1, 1945, are described in § 29.143–3.

PAR. 3. In the case of income paid after December 31, 1944, and before March 15, 1945, compliance with the provisions of § 29.143–3 of Regulations 111 prior to its amendment by this Treasury decision as applicable with respect to nonresident aliens who are citizens of France residing therein, or corporations organized under the laws of France, shall be considered as sufficient compliance with the provisions of law and regulations relating to withholding of the tax at the source of residents of France or corporations or other entities organized under the laws of France.

(Sec. 62, I. R. C., 53 Stat. 32 (26 U.S.C. 62), and the tax convention and protocol between the United States and France, signed July 25, 1939, effective January 1, 1945 (Treaty Series No. 988))

[SEAL] GEO. Z. SCHONEMAN,
Acting Commissioner of Internal Revenue.

Approved: March 2, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-3488; Filed, Mar. 3, 1945; 4:16 p. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division

PART 659—MINIMUM WAGE RATE IN THE RUM AND INDUSTRIAL ALCOHOL INDUSTRY IN PUERTO RICO

RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE NO. 3

Whereas on February 11, 1944, pursuant to section 5 (e) of the Fair Labor Standards Act of 1938, hereinafter called the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 227, appointed Special Industry Committee No. 3 for Puerto Rico, hereinafter called the Committee, and directed the Committee to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the various industries in Puerto Rico in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas the Committee included three representatives of the public and a like number representing employers and a like number representing employees in the rum and industrial alcohol industry in Puerto Rico, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

Whereas on May 29, 1944, the Committee, after investigating economic and competitive conditions in the rum and industrial alcohol industry, filed with the Administrator a report containing its definition of the rum and industrial alcohol industry and its minimum wage recommendation for the industry of 40 cents an hour; and

Whereas pursuant to notices published in the FEDERAL REGISTER and in newspapers in Puerto Rico and mailed to all interested persons, a public hearing on the Committee's recommendation was held in New York, New York, before Donald M. Murtha, the presiding officer designated by the Administrator, on September 12, 1944, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act with special reference to sections 5 and 8, has concluded that the recommendation of the Committee for a minimum wage rate in the rum and industrial alcohol industry, as defined, is made in accordance with law, is supported by the evidence adduced at the hearing, and taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 3 for Puerto Rico for a Minimum Wage Rate in the Rum and Industrial Alcohol Industry in Puerto Rico," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York; *Now, therefore, it is ordered,* That:

Sec.
- 659.1 Approval of recommendations of Industry Committee.
- 659.2 Wage rate.
- 659.3 Posting of notices.
- 659.4 Definition of the rum and industrial alcohol industry.

AUTHORITY: §§ 659.1 to 659.4, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C. Supp. IV, 208.

§ 659.1 *Approval of recommendations of Industry Committee.* The Committee's recommendations for the rum and industrial alcohol industry in Puerto Rico are hereby approved.

§ 659.2 *Wage rate.* Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the rum and industrial alcohol industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 659.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the rum and industrial alcohol industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 659.4 *Definition of the rum and industrial alcohol industry.* The rum and industrial alcohol industry in Puerto Rico to which this order shall apply is hereby defined as follows:

The manufacture, including all productive operations, of rum and industrial alcohol such as ethyl alcohol, butyl alcohol and acetone; anti-freeze and any related by-product.

Effective date. This wage order shall become effective May 7, 1945.

Signed at New York, New York, this 27th day of February, 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-3409; Filed, Mar. 2, 1945; 4:45 p. m.]

PART 661—MINIMUM WAGE RATE IN THE BANKING, INSURANCE AND FINANCE INDUSTRIES IN PUERTO RICO

RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE NO. 3

Whereas on February 11, 1944, pursuant to section 5 (e) of the Fair Labor Standards Act of 1938, hereinafter referred to as the act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 227, appointed Special Industry Committee No. 3 for Puerto Rico, hereinafter referred to as the Committee, and directed the Committee to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the various industries in Puerto Rico in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas the Committee included three disinterested persons representing the public, a like number representing employers in the banking, insurance and finance industries in Puerto Rico, and a like number representing employees in the Industry, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

Whereas on May 29, 1944, the Committee, after investigating economic and competitive conditions in the banking, insurance and finance industries, filed with the Administrator a report containing its definition of the banking, insurance and finance industries and its recommendation for a 40-cent minimum hourly wage rate in the banking, insurance and finance industries; and

Whereas pursuant to notice published in the FEDERAL REGISTER on July 12, 1944, a public hearing on the Committee's recommendation was held in New York, New York, before Donald M. Murtha as presiding officer, on September 13, 1944, at which all interested persons were given an opportunity to be heard; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act with special referece to sections 5 and 8, has concluded that the recommendation of the Committee for a minimum wage rate in the banking, insurance and finance industries, as defined, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 3 for Puerto Rico for a Minimum Wage Rate in the Banking, Insurance and Finance Industries in Puerto Rico." dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York; *Now, therefore, it is ordered,* That:

Sec.
- 661.1 Approval of recommendations of Industry Committee.
- 661.2 Wage rate.
- 661.3 Posting of notices.
- 661.4 Definition of the banking, insurance and finance industries.

AUTHORITY: §§ 661.1 to 661.4, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C. 208.

§ 661.1 *Approval of recommendations of Industry Committee.* The Committee's recommendations for the banking, insurance and finance industries are hereby approved.

§ 661.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the act by every employer to each of his employees in the banking, insurance and finance industries in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 661.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the banking, insurance and finance industries in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 661.4 *Definition of the banking, insurance and finance industries.* The banking, insurance and finance industries in Puerto Rico to which this order shall apply is hereby defined as follows:

The business, whether or not for profit, carried on by any banking, insurance or other financial institution or enterprice.

Effective date. This wage order shall become effective May 7, 1945.

Signed at New York, New York, this 27th day of February 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-3389; Filed, Mar. 2, 1945; 12:39 p. m.]

PART 663—MINIMUM WAGE RATE IN THE MANUFACTURED COCONUT INDUSTRY IN PUERTO RICO

RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE NO. 3

Whereas on February 11, 1944, pursuant to section 5 (e) of the Fair Labor Standards Act of 1938, hereinafter referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 227, appointed Special Industry Committee No. 3 for Puerto Rico, hereinafter referred to as the Committee, and directed the Committee to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the various industries in Puerto Rico in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas the Committee included three disinterested persons representing the public, a like number of persons representing employers in the manufactured coconut industry in Puerto Rico, and a like number of persons representing employees in the Industry, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

Whereas on May 29, 1944, the Committee, after investigating economic and competitive conditions in the manufactured coconut industry, filed with the Administrator a report containing its definition of the manufactured coconut industry and its recommendation for a 28-cent minimum hourly wage in the manufactured coconut industry in Puerto Rico; and

Whereas pursuant to notice published in the FEDERAL REGISTER on July 12, 1944, a public hearing on the Committee's recommendation was held in New York, New York, on September 13, 1944, before Donald M. Murtha, the presiding officer designated by the Administrator, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the presiding officer has been transmitted to the Administrator; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act with special reference to sections 5 and 8, has concluded that the recommendation of the Committee for a minimum wage rate in the manufactured coconut industry, as defined, is made in accordance with law, is supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 3 for Puerto Rico for a Minimum Wage Rate in the Manufactured Coconut Industry in Puerto Rico," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York; *Now therefore, it is ordered,* That:

Sec.
663.1 Approval of recommendations of Industry Committee.
663.2 Wage rate.
663.3 Posting of notices.
663.4 Definition of manufactured coconut industry.

AUTHORITY: §§ 663.1 to 663.4, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C. 208.

§ 663.1 *Approval of recommendations of Industry Committee.* The Committee's recommendations for the manufactured coconut industry in Puerto Rico are hereby approved.

§ 663.2 *Wage rate.* Wages at a rate of not less than 28 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the manufactured coconut industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 663.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the manufactured coconut industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 663.4 *Definition of manufactured coconut industry.* The manufactured coconut industry in Puerto Rico to which this order shall apply is hereby defined as follows:

The manufacture of desiccated or prepared coconut.

Effective date. This wage order shall become effective May 7, 1945.

Signed at New York, New York, this 27th day of February 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-3408; Filed, Mar. 2, 1945; 4:45 p. m.]

PART 665—MINIMUM WAGE RATE IN THE PAPER BOX MANUFACTURING INDUSTRY IN PUERTO RICO

RECOMMENDATION OF SPECIAL INDUSTRY COMMITTEE NO. 3

Whereas on February 11, 1944, pursuant to section 5 (e) of the Fair Labor Standards Act of 1936, hereinafter referred to as the act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 227, appointed Special Industry Committee No. 3 for Puerto Rico, hereinafter referred to as the Committee, and directed the Committee to proceed to investigate conditions and to recommend to the Administrator minimum wage rates for employees in the various industries in Puerto Rico in accordance with the provisions of the act and rules and regulations promulgated thereunder; and

Whereas the Committee included three disinterested persons representing the public, a like number representing employers in the paper box manufacturing industry in Puerto Rico, and a like number representing employees in the industry, and was composed of residents of Puerto Rico and residents of the United States outside of Puerto Rico; and

Whereas on May 26, 1944, the Committee after investigating economic and competitive conditions in the paper box manufacturing industry, filed with the administrator a report containing its definition of the paper box manufacturing industry and its recommendation for a 40-cent minimum hourly wage rate in the paper box manufacturing industry; and

Whereas pursuant to notice published in the FEDERAL REGISTER on July 12, 1944, a public hearing on the Committee's recommendation was held in New York, New York, before Donald M. Murtha as presiding officer on September 19, 1944, at which all interested persons were given an opportunity to be heard; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and after giving consideration to the provisions of the act with spe-

cial reference to sections 5 and 8, has concluded that the recommendation of the Committee for a minimum wage rate in the paper box manufacturing industry, as defined, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Committee, will carry out the purposes of sections 5 and 8 of the act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Special Industry Committee No. 3 for Puerto Rico for a Minimum Wage Rate in the Paper Box Manufacturing Industry in Puerto Rico," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, 165 West 46th Street, New York 19, New York; *Now, therefore, it is ordered,* That:

Sec.
665.1 Approval of recommendations of Industry Committee.
665.2 Wage rate.
665.3 Posting of notices.
665.4 Definition of the paper box manufacturing industry.

AUTHORITY: §§ 665.1 to 665.4, inclusive, issued under sec. 8, 52 Stat. 1064; 29 U.S.C. 208.

§ 665.1 *Approval of recommendations of Industry Committee.* The Committee's recommendations for the paper box manufacturing industry are hereby approved.

§ 665.2 *Wage rate.* Wages at a rate of not less than 40 cents an hour shall be paid under section 6 of the act by every employer to each of his employees in the paper box manufacturing industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 665.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the paper box manufacturing industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.

§ 665.4 *Definition of the paper box manufacturing industry.* The paper box manufacturing industry in Puerto Rico to which this order shall apply is hereby defined as follows:

The manufacture of corrugated, folding, and set-up paper boxes.

Effective date. This wage order shall become effective May 7, 1945.

Signed at New York, New York, this 27th day of February 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-3388; Filed, Mar. 2, 1945; 12:39 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 903—DELEGATIONS OF AUTHORITY

[Directive 33 as Amended Feb. 24, 1945]

DISTRIBUTION OF BITUMINOUS AND PETROLEUM COKE

Pursuant to the authority vested in me by Executive Order No. 9024 of January 16, 1942, Executive Order No. 9040 of January 24, 1942, and Executive Order 9125 of April 7, 1942, and in order to delegate to the Solid Fuels Administrator for War authority to provide for the equitable and efficient distribution of coke to domestic consumers, it is hereby ordered that:

§ 903.146 *Directive 33.* (a) The Solid Fuels Administrator for War shall, subject to the direction of the Chairman of the War Production Board, perform the functions and exercise the power, authority, and discretion conferred upon the President by section 2 (a) of the Act of June 28, 1940 (Pub. No. 671, 76th Congress, 54 Stat. 676) as amended by the Act of May 31, 1941 (Pub. No. 89, 77th Congress, 55 Stat. 236) and as further amended by Title III of the Second War Powers Act, March 27, 1942 (Pub. No. 507, 77th Congress, 56 Stat. 176), with respect to the exercise of control over the sale, transfer, delivery, or other disposition of coke intended for use by any domestic consumer from any producer to any wholesale or retail dealer, or from one dealer to another dealer, or from any producer, wholesale or retail dealer to any domestic consumer and over the use of coke by any domestic consumer. This authority, however, shall not include the power to limit or restrict the quantity of coke obtainable by the Army, Navy, Marine Corps or Coast Guard of the United States; by government agencies or other persons to the extent to which they acquire such coke for export to and use in any foreign country; or by any person to the extent that he acquires coke for use in an industrial process or for the production of power or for space heating which is incidental thereto.

(b) The authority of the Solid Fuels Administrator for War under this delegation shall include the power to regulate or prohibit the sale, transfer or delivery or other disposition of coke, or use of coke, by any person or domestic consumer who has acted in violation of any regulation or order prescribed by the Solid Fuels Administrator for War for the distribution of coke.

(c) The Solid Fuels Administrator for War is authorized to perform the functions and exercise the power, authority and discretion delegated to him by paragraphs (a) and (b) hereof upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense. In order to perform such functions and exercise such power, authority, and discretion, the Solid Fuels Administrator for War is further authorized to exercise the authority, in accordance with the provisions of said Executive Order No. 9125, to obtain information, require reports and the keeping of records, make inspection of books, records and other writings, premises or property of any person, make investigations, administer oaths and affirmations, and require the attendance and testimony of witnesses, and the production of books, records and other documentary or physical evidence.

(d) The Solid Fuels Administrator for War may exercise the power, authority and discretion conferred upon him by this directive through such personnel of the Solid Fuels Administration for War and the Department of Interior, and in such manner as he may determine and accept the services of other departments, agencies and officials of the government in carrying out the purposes of this directive.

(e) As used in this directive the term "producer" means any person who produces coke; the term "domestic consumer" means any person who acquires coke for space heating, domestic hot water or domestic cooking but does not include any person to the extent that he acquires coke for use in an industrial process or for the production of power or for space heating which is incidental thereto; and the term "person" means any individual, partnership, corporation, association, government or government agency or any other organized group or enterprise; and the term "coke" means (1) coke made from bituminous coal and (2) coke made from petroleum.

(f) Nothing herein shall be construed to limit or modify any regulation, order or directive heretofore issued by or under the authority of the Chairman of the War Production Board nor to terminate or limit the power of the Chairman of the War Production Board to issue further directives, regulations or orders regulating the delivery or use of coke, nor to affect the authority vested in the Chairman of the War Production Board, pursuant to Executive Orders 9024, 9040 and 9125 to determine the relative importance of deliveries and certify as to the preferential treatment to be accorded them with respect to the delivery or use of coke, nor to affect the program of rationing coal, coke and wood for the Northwest Pacific Area by the Office of Price Administration in accordance with the provisions of its Rationing Order 14-A, effective September 18, 1943.

(Sec. 2a, 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696)

Issued this 24th day of February 1945.

J. A. KRUG,
Chairman.

[F. R. Doc. 45-3406; Filed, Mar. 2, 1945; 4:21 p. m.]

PART 1010—SUSPENSION ORDERS

[SUSPENSION ORDER S-727]

CINCINNATI CHROME FIXTURE CO. AND SCHULTE BRASS MANUFACTURING CO.

George T. Schulte, doing business as Cincinnati Chrome Fixture Company and Schulte Brass Manufacturing Company, Norwood, Ohio, has been engaged in the manufacture of chromium bathroom fixtures. During the period from January 1, 1943 to May 18, 1944 he processed, fabricated, worked on and assembled at least 51,693 pounds of steel, 9,482 pounds of brass and 64,690 pounds of zinc for use in garment hangers, towel bars and racks, tooth brush holders, soap dishes, soap savers, toilet paper holders and cup frames in violation of Limitation Order L-30-d, and consumed at least 9,482 pounds of brass in their manufacture in violation of Conservation Order M-9-c. During the months of November and December 1943 he accepted delivery of 1,690 pounds of No. 1 grade copper scrap for anodes without specific authorization from the War Production Board in violation of Supplementary Order M-9-b. He also obtained 93,768 pounds of zinc products, 23,196 pounds of steel products and 2,238 pounds of brass products during the period from January 1, 1943 to May 1, 1944 on orders bearing preference ratings ranging from AA-1 to AA-3, in excess of his requirements to fill orders bearing these ratings, in violation of Priorities Regulation No. 3, and during the period from July 1, 1943 to May 1, 1944 he placed unauthorized Controlled Material Orders for, and thereby obtained delivery of 66,937 pounds of steel and 7,232 pounds of brass in violation of Controlled Materials Plan Regulation No. 1. He applied a AA-2x preference rating to the delivery of fibre shipping containers although these containers were used to pack and ship his products in fulfillment of orders which were not described in List 2 of Preference Rating Order P-140, in violation of that order. He also failed to keep accurate and complete records in violation of Priorities Regulation No. 1.

All of these violations were either wilful or due to inexcusable negligence and have resulted in a diversion of scarce materials to uses not authorized by the War Production Board, and hampered and impeded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.727 *Suspension Order No. S-727.* (a) George T. Schulte shall not for two months from the effective date of this order accept delivery of, manufacture, fabricate, assemble, or continue the processing or assembling of any articles or any parts of articles listed on Schedules A and B of Limitation Order L-30-d, as amended from time to time, of which copper, copper base alloys, steel, zinc, aluminum or magnesium is a component, nor receive or accept delivery of any copper, copper base alloy, steel, zinc, aluminum or magnesium for incorporation into such articles or parts of such articles. These restrictions shall not apply to material in transit for delivery to him on the effective date of this order.

(b) George T. Shulte shall not for two months from the effective date of this order deliver any of the articles listed on Schedules A and B of Limitation Order L-30-d, as amended from time to time, of which copper, copper base alloy, steel, zinc, aluminum or magnesium is a component, except to fill preferred orders as defined in Limitation Order L-30-d.

(c) Nothing contained in this order shall be deemed to relieve George T. Schulte from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to George T. Schulte, doing business as Cincinnati Chrome Fixture Company, Schulte Brass Manufacturing Company or under any other name, his or its successors and assigns or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(e) This order shall take effect on March 3, 1945.

Issued this 24th day of February 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3431; Filed, Mar. 3, 1945; 11:18 a. m.]

PART 1109—MICA SPLITTINGS

[Conservation Order M-101-a as Amended Mar. 3, 1945]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of No. 5 or larger bookform muscovite mica splittings for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1109.2 *Conservation Order M-101-a*—(a) *Definitions.* (1) "Built-up mica insulation" means a product containing various combinations of mica splittings and binder, but having no backing or reenforcing material attached to or combined with it.

(2) "Composite mica insulation" means a product containing various combinations of mica splittings with such material as: fish paper, fibrous glass, fabrics, acetate sheets, paper, etc., held together in laminated form by a binder.

(b) *Restrictions on use of mica splittings.* No person shall use No. 5 or larger bookform muscovite mica splittings except in the manufacture of composite or built-up mica insulations where the mica content is an average thickness of not more than .003" including the binder. The average (also known as "nominal") thickness is based upon ten individual measurements per square yard.

NOTE: Paragraphs (c), (d), and (e) formerly (d), (e), and (f), redesignated Mar. 3, 1945.

(c) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(e) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(f) *Communications to War Production Board.* All communications concerning this order shall be addressed to: War Production Board, Miscellaneous Minerals Division, Washington 25, D. C., Ref: M-101-a.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3432; Filed, Mar. 3, 1945; 11:18 a. m.]

PART 1157—CONSTRUCTION MACHINERY

[Limitation Order L-192, Direction 2 as Amended Mar. 2, 1945]

SELF-PRIMING CENTRIFUGAL PUMPS

The following amended direction is issued pursuant to Limitation Order L-192:

(a) *What this direction does.* Because of the possibility of emergency flood conditions in the eastern part of the United States, it is necessary to direct the distribution of certain sizes and types of pumps to and within this area for a limited period of time. As used in this direction, "pumps" means only self-priming centrifugal pumps, sizes 1½" to 6" inclusive, of the type defined in Schedule B of Order L-192.

(b) *Sales by producers.* (1) During the period February 15, 1945 through May 15, 1945, each pump producer must reserve at least 75% of his total authorized non-military production and inventory of new pumps covered by this direction for distribution in the states of New Hampshire, Vermont, Massachusetts, Connecticut, New York, Pennsylvania, West Virginia, Ohio, Indiana, Illinois, Kentucky and Missouri. He may not sell or deliver pumps from this 75% to areas outside those states or for export during that period. Non-military production means all production except for "war agencies" as defined in Order L-192.

(2) Within this 75% reserve, each producer is expected to make the most equitable distribution possible to his dealers and distributors in the above states during the above period, based upon his best judgment

as to the greatest actual or potential need for the pumps in relieving or preventing flood damage.

(3) If a producer is unable to fill all orders from dealers and distributors in the above states during this period out of the 75% reserve, he may prorate deliveries among them on the basis of his best judgment as to their need under the above standards regardless of preference ratings (other than AAA). Orders from such dealers and distributors in excess of the producer's ability to fill them from the 75% reserve are to be filled only in accordance with applicable regulations and orders of the War Production Board, including the provisions of paragraph (b) (4) below.

(4) A producer may sell or deliver up to 10% of his total non-military production and inventory of new pumps during the above period without regard to the provisions of this direction. The remaining 15% must be held by the producer as a special reserve, and may not be sold or delivered, whether within or outside the above states, except upon specific authorization in writing of the War Production Board. A producer may apply by letter, telegram or telephone to the War Production Board, Construction Machinery Division, Washington 25, D. C., for instructions or permission with respect to the distribution of this 15%.

(c) *Prohibition on sales or leases by dealers or distributors.* (1) During the period March 3, 1945 through May 15, 1945, dealers or distributors of pumps covered by this direction in the states of New Hampshire, Vermont, Massachusetts, Connecticut, New York, Pennsylvania, West Virginia, Ohio, Indiana, Illinois, Kentucky, and Missouri must reserve all of their stock and receipts of pumps. No dealer or distributor in the above states may sell a new pump or lease any pump (whether new or used) during the above period to any person other than a "war agency" or on a purchase order rated AAA, until he receives a letter or telegram showing that the purchase or lease has been authorized by the War Production Board. This authorization, if given, will usually be issued to the buyer or lessee. In an emergency, the dealer or distributor may be notified by the War Production Board by telephone that authorization has been granted, and he may rely on this notification, but the buyer or lessee must give the dealer or distributor the authorization when he gets it.

(2) Any person who needs a pump in these states may apply by letter or telegram to the nearest War Production Board Field Office, giving the following information:

(i) Name and address.

(ii) Business of applicant.

(iii) Number and size of pump(s) required.

(iv) Will pump(s) be purchased or leased.

(v) Dealer's name, if known.

(vi) Brief statement explaining why the pump(s) may be needed.

In case of emergency, a person may give this information to the War Production Board Field Office by telephone and confirm it by letter or telegram within three days.

(d) *Special directions.* In cases of emergency, whether for flood control or otherwise, the War Production Board may authorize or direct a particular producer, dealer or distributor in writing to fill particular orders or classes of orders for pumps without regard to the provisions of this direction.

(e) *Exemptions.* This direction does not apply to production for or distribution to "war agencies" as defined in Order L-192, nor does it apply to any pump producer who is located on the West Coast or who is not making pumps covered by this direction for other than war agencies. It also does not apply to dealers or distributors not located in the states listed in paragraph (c) (1).

(f) *Expiration.* This direction expires May 16, 1945, unless otherwise revoked, extended or modified.

Issued this 2d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3407; Filed, Mar. 2, 1945; 4:20 p. m.]

PART 3270—CONTAINERS

[Preference Rating Order P-140, Revocation of Direction 1]

RATINGS FOR CONTAINERS FOR LEND-LEASE SHIPMENTS OF MILK POWDER

Direction 1 to Preference Rating Order P-140, issued June 23, 1944, is hereby revoked. This revocation does not affect any liabilities incurred under the direction.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3435; Filed, Mar. 3, 1945; 11:18 a. m.]

PART 3286—MISCELLANEOUS MINERALS

[General Conservation Order M-162, as Amended Mar. 3, 1945]

PLATINUM

The fulfillment of requirements for the defense of the United States has made it necessary that any possible shortage in the supply of platinum for defense, for private account and for export be avoided; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3286.41 *General Conservation Order M-162*—(a) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the Priorities Regulations of the War Production Board, as amended from time to time:

(b) *Definitions.* As used in this order:

(1) "Platinum" means the metal platinum, and platinum salts, compounds, alloys, or mixtures, containing more than two per cent platinum by weight, in any form, including crude ores, matte, residues, sponge, bar, sheet, wire, semi-fabricated forms and partially fabricated products. It also includes scrap and secondary materials, the platinum content of which is more than two per cent by weight. It does not include finished parts, articles, or equipment, regardless of platinum content.

(2) "Jewelry" means rings, bracelets, pins, brooches, pendants, chains, earrings, combs, head or hair ornaments, buckles, buttons, cuff links, studs, badges, insignia, medals, medallions, and all other articles of personal adornment. The term also means tableware, flatware, hollow ware, cigarette cases, watch cases, candlesticks, pencils, pens (except penpoint tips), toilet sets, picture frames, and musical instruments.

(3) "Consumer" means a person who purchases, accepts delivery of, or owns finished parts, articles, or equipment containing platinum, other than jewelry, for use for any purpose other than resale or investment.

(4) "Processor" means a person who uses platinum by incorporating it physically in the parts, articles, or products which he manufactures, and includes a person who produces dental alloys.

(5) "Dealer" means a person who makes a regular business at an established address in continental United States of buying and selling platinum.

(6) "Distributor" means a person who makes a regular business at an established address in continental United States of acting as buying or selling agent for dealers or processors of platinum.

(7) "Refiner" means a person regularly engaged in the business of refining and separating platinum group metals.

(8) "Supplier" means any person who imports, smelts, alloys, melts, or refines platinum or who sells platinum to processors.

(9) "Process" means cut, draw, machine, stamp, melt, alloy, cast, forge, roll, turn, spin, or otherwise shape. It also means assemble. The term does not include buffing, or polishing an assembled article.

(10) "Put into process" means the first change by the processor in the form of material from that form in which it is received by him.

(11) The term "assemble" shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom. The term "assemble" shall also not be deemed to include adding stones or finished parts to an otherwise finished article when the placing of one or more stones or finished parts, or the size or type of one or more stones or finished parts, is determined by the choice of the ultimate consumer or the use to which the ultimate consumer is to put the article.

(12) The terms "deliver" and "receive" shall be deemed to include deliveries and receipts under toll agreement.

(13) "Finished parts, articles, or equipment" means products which are finished to the extent that they are ready for their final end use without further processing or are ready for attachment to equipment or parts of equipment which are not platinum.

(14) "Scrap" means all materials or objects which are the waste or by-product of industrial fabrication, or which have been discarded on account of wear, failure, obsolescence, or other reason.

(c) *Restrictions on sale, purchase, delivery, receipt, and manufacture.* (1) After May 30, 1942, no person shall sell, transfer, or otherwise deliver platinum except to a person known by the seller or

transferor to be a refiner, a dealer, a distributor, a processor, or a consumer of platinum. No person, after May 30, 1942, shall purchase or accept delivery of platinum unless he is a refiner, a dealer, a distributor, a processor, or a consumer of platinum.

(2) On and after October 31, 1942, no supplier shall sell or deliver platinum to any processor for use in the manufacture of jewelry.

(3) On and after October 31, 1942, no processor shall purchase or receive platinum for use in the manufacture of jewelry.

(4) On and after October 31, 1942, no processor shall put into process any platinum in the manufacture of jewelry.

(5) On and after October 31, 1942, a processor in the manufacture of jewelry may continue the processing of any platinum which had already been put into process on such date, provided the processing thereof will be completed by January 1, 1943. On and after January 1, 1943, no processor shall process in any way any platinum in the manufacture of jewelry.

(6) The restrictions of paragraphs (c) (2) and (c) (3) shall not be deemed to prohibit the sale, delivery, purchase, or receipt of jewelry or parts thereof which are finished and complete except for adding stones or other finished parts and polishing.

(d) *Scrap restrictions.* (1) No processor shall purchase or accept delivery of any platinum if he owns or has in his possession more than a thirty days' accumulation of scrap, exclusive of sweepings, unless such accumulation aggregates less than 25 ounces, platinum content, or unless it is in the process of being refined.

(2) No person shall sell or deliver scrap except to a distributor, a dealer, or a refiner: *Provided*, That dental alloy scrap may be sold to a person who produces dental alloys.

(e) *Inventory restrictions.* No processor or consumer shall purchase or accept delivery of platinum in the form of raw materials, semi-processed materials, sub-assemblies, finished parts, or finished products, nor shall he put into process any raw material in quantities which in either case shall result in an inventory of raw, semi-processed, or finished material or products in excess of a minimum practicable working inventory. As applied to a processor, the foregoing provision means that in no event shall the platinum content of his total inventory in all forms exceed the amount of platinum contained in the final products required to meet delivery demands for a period of sixty days. The platinum content of scrap in the process of being refined need not be considered as in inventory for the purpose of this paragraph.

(f) *Reports.* (1) Each processor and each consumer who purchases in any calendar month of any calendar quarter 100 ounces or more (platinum content) of platinum or of finished products, exclusive of jewelry, containing platinum, or who has in any calendar month of any calendar quarter an inventory of 200 ounces or more (platinum content) of platinum or finished products, exclusive of jewelry, containing platinum, shall file Form WPB-3330 with the War Production Board in accordance with the instructions on that Form.

(2) Every person affected by this order shall file with the War Production Board such other reports and questionnaires as the War Production Board shall from time to time prescribe, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(3) The reporting requirements of this order have received the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(g) [Revoked Nov. 22, 1943.]

(h) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of materials conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or other written communication, in duplicate, setting forth the pertinent facts and the reasons he considers he is entitled to relief. The War Production Board may thereupon take such action as it deems appropriate.

(i) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C., Ref.: M-162.

(j) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1

MEANING OF THE TERM "PROCESS"

The sizing of already completed jewelry, other than rings, for the ultimate consumer does not constitute processing where such sizing involves only the removal and not the addition of platinum. In the case of completed rings, such sizing does not constitute processing where the sizing requires either the removal or the addition of platinum for the purpose of sizing alone.

The repair of already completed platinum jewelry for the ultimate consumer does not constitute processing, provided no additional platinum is added. Repair means only restoration to usable condition in original form, shape or design; it does not include any alteration or change in such original form, shape, or design. (Issued Dec. 19, 1943.)

INTERPRETATION 2

MEANING OF THE TERM "ASSEMBLE"

Subparagraph (b) (11) of General Conservation Order M-162 states: "The term 'assemble' shall not be deemed to include the putting together of an article after delivery to a sales outlet or consumer in knockdown form pursuant to an established custom * * *." Some question has arisen as to whether or not this exception permits a processor after January 1, 1943 to assemble findings which he has purchased from other processors. It has been the custom of the trade for findings manufacturers to deliver to manufacturers of completed jewelry findings which will then be assembled from time to time, as the need arises, by the manufacturer of the completed jewelry.

The assembly of findings in the case described comes within the meaning of the term "assemble" as such term is used in the order and is prohibited after January 1, 1943. The quoted exception applies only to a case where an article of completed jewelry, for convenience in packing and shipment, is customarily delivered to a sales outlet in knockdown or unassembled form. The distinguishing points of the exception are that the various parts being shipped together are all designed for assembly into a single completed article, that convenience in packing and shipping requires shipment of the article in unassembled form, and that shipment of the particular article in such unassembled form is an established custom in the trade.

(Issued Jan. 4, 1943.)

[F. R. Doc. 45-3436; Filed, Mar. 3, 1945; 11:18 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[Order L-260-a, Interpretation 2]

METAL SWIVEL IRONS IN WOODEN OFFICE CHAIRS

The following interpretation is issued with respect to Order L-260-a:

The provisions of paragraph (d) of Order L-260-a, stating the rules under which manufacturers may substitute metal parts for wooden ones, apply to the use of metal swivel irons in office chairs. Any manufacturer who uses metal swivel irons instead of wooden ones in making office chairs under Order L-260-a is subject to the provisions of paragraph (d) (1). He may not thereby increase his production of furniture in any quarter by dollar value over the fourth quarter of 1944. For example, if his chairs with metal swivel irons have the same dollar value as his chairs with wooden ones, he may not use the extra wood which he saves per chair to make more chairs than he did in the last quarter of 1944, even though within his wood quota under Order L-260-a.

A person who remodels a completely finished office chair by merely putting in a new metal swivel iron in place of a wooden one is not covered by Order L-260-a since he is not making or assembling new furniture. He is not, however, a repairman or reconditioner under CMP Regulation 9A and may not use a rating assigned under that regulation to get swivel irons. A person, however, who puts a metal swivel iron in an incomplete office chair is a manufacturer under Order L-260-a and is subject to the restrictions in that order.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3438; Filed, Mar. 3, 1945; 11:19 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 94]

TRICHLORETHYLENE

§ 3293.1094 *Schedule 94 to General Allocation Order M-300*—(a) *Definitions.* For the purpose of this schedule:

(1) "Trichlorethylene" means the chemical $CHCl–CCl_2$.

(2) "Drum" means a container with a capacity of approximately 52 gallons (650 pounds of trichlorethylene).

(b) *General provisions.* Trichlorethylene is subject to the provisions of General Allocation Order M-300 as an Appendix B material. The initial allocation date is March 1, 1944, when trichlorethylene first became subject to allocation under Order M-371 (revoked). The allocation period is the calendar month. The small order exemption without use certificate per person per month is any less-drum quantity totaling less than 650 pounds.

(c) *Transition from M-371.* Regular and interim allocations heretofore issued under Order M-371 are effective under this schedule, but authorizations to deliver are limited in duration as if originally issued under this schedule. Pending applications need not be refiled.

(d) *Suppliers' applications on WPB-2947.* Each supplier seeking authorization to use or deliver trichlorethylene shall file application on Form WPB-2947 (formerly PD-602). File separate sets of forms for dry-cleaning requests in accordance with paragraph (h) of this schedule. Filing date is the 15th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300-94. The unit of measure is pounds. Leave grade space blank. Fill in Table I as follows: First, in Column 1 list customers ordering 3,250 pounds (5 drums) or more for delivery during the next month, in Column 1-a enter each use stated in the certificate filed by each customer, and in Column 4 specify quantity ordered by each customer for each use; second, specify in Column 1 "From 650-3,250 pound orders" (one drum or more, but less than 5 drums) without specifying customers' names, in Column 1-a group the end uses stated in the certificate filed with these orders, and in Column 4 specify the aggregate quantity ordered for each use; third, specify in Column 1 "Less than one drum orders" without specifying customers' names, in Column 1-a group the end uses for which the supplier believes the trichlorethylene is or will be ordered, and in Column 4 specify the aggregate quantity ordered or expected to be ordered for each use. Fill in the other columns as indicated. If the applicant supplier is seeking authorization to use any part of his own production or stock of trichlorethylene, he shall apply as if the consuming part of his organization were ordering from the production or distribution part of his organization. Fill in Table II.

(e) *Certified statements of use.* Each person placing orders for delivery of one drum (or 650 pounds) or more of trichlorethylene per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M-300. Specify proposed use as follows:

(1) *Primary product.* Primary product should be specified in terms of the following examples:

Vapor degreasing solvent.
Liquid degreasing solvent (specify whether used hot or cold).
Fire extinguisher fluid.
"Freon."
Hexachlorethane.
Solvent extractant.
Spotting and cleaning fluid.
Commercial dry cleaning.
Drugs and pharmaceuticals (specify).
Other product (specify).

(2) *Product end use.* End use should be specified to indicate the disposition of each primary product, such as civilian, industrial (specify general use, such as munitions, auto servicing, etc.), food processing or laboratory use. In the case of industrial uses specify percentage required for Army, Navy, Maritime Commission and Lend-Lease purposes, respectively. Where the product is to be delivered directly to the Armed Services, or for Export, or on Lend-Lease, specify "Armed Services" or "Export" or "Lend-Lease", as the end use, without further end use description except contract, specification, export license or UNRRA requisition numbers.

(3) *Trichlorethylene requested for redelivery.* Proposed use may also be specified as "for resale on further authorization", "for resale on exempt orders of less than a drum", or "for export" (specify destination and export license or UNRRA requisition number).

(f) *One time report from all users except commercial dry cleaners.* Each person who accepts delivery of a drum or more of trichlorethylene from any supplier during February, 1945, shall file a one-time report not later than March 15, 1945 on Form WPB-3442 with War Production Board, Chemicals Bureau, Washington 25, D. C. Any person who did not receive a drum or more of trichlorethylene during February, 1945 shall file this report on or before the 15th day of the month following the first month after February 1945, in which he accepts delivery of a drum or more of trichlorethylene. This report need be filed only once and need not be filed by any person who accepts delivery of trichlorethylene exclusively for resale without processing or repackaging (other than drumming of tank car lots). The form shall be filled in as follows:

(1) *Heading.* In space (1) specify trichlorethylene; in space (2) specify pounds; in space (3) specify M-300-94; and fill in the rest of the heading as indicated.

(2) *Section I.* Fill in Columns (a) and (b) as indicated. If the report is filed on or before March 15, 1945, specify "December, 1944" in the heading of Column (c), "January, 1945" in the heading of Column (d), and "February, 1945" in the heading of Column (e). If the report is filed during any month after March, 1945, specify each of the three preceding months in the heading of Columns (c), (d) and (e), respectively. Fill in Columns (c), (d) and (e) as indicated in the heading, for each item shown in Columns (a) and (b). Leave blank the last line of Section I.

(3) *Section II.* Leave Column (a) blank. If the report is filed on or before March 15, 1945, specify "March 1, 1945" in the heading of Column (b) and fill in the Column accordingly. If the report is filed after March, 1945 specify the first day of the current month and fill in Column (b) accordingly. Strike out the heading of Columns (c) and (d) and in these columns list the number of degreasing machines of each make and model number which the person reporting has and specify separately the number in operation.

(g) *Availability for commercial dry cleaning.* In view of the current serious shortage of trichlorethylene it will be the policy of the War Production Board to deny requests for allocation of trichlorethylene for commercial dry cleaning during March, 1945, and thereafter until improvement in the balance of supply against demand permits allocation of trichlorethylene for this purpose. When this occurs applications and reports shall be filed as provided in the following paragraphs (h) and (i), and purchase order certificates shall be furnished when required by paragraph (e) above.

(h) *Suppliers' applications on WPB-2947 for commercial dry cleaning deliveries.* Each supplier seeking authorization to deliver trichlorethylene for commercial dry cleaning purposes shall file application on a separate set of WPB-2947 forms. Filing date is the 15th day of the month before the proposed delivery month. Send four copies (one certified) to the War Production Board, Service Trades Division, Washington 25, D. C., Ref: M-300-94 (commercial dry cleaning). On the upper right hand corner of the form write in "commercial dry cleaning delivery". The unit of measure is pounds. Leave grade space blank. In Table I list in Column 1 the name and address of each customer who has ordered a drum or more of trichlorethylene for delivery during the next month for commercial dry cleaning purposes. Fill in the rest of Table I as indicated and leave Table II blank.

(i) *Commercial dry-cleaning one-time reports.* (1) Each commercial dry cleaner seeking delivery of a drum or more of trichlorethylene from any supplier during any month shall file a one-time report not later than the 15th day of the preceding month on Form WPB-4009 with the War Production Board, Service Trades Division, Washington 25, D. C. This report need not be refiled after it has been filed once under this schedule, under Schedule 78 (carbon tetrachloride) or under Schedule 95 (perchlorethylene).

(2) This report is necessary for the Service Trades Division to support its recommendation for allocation to the Chemicals Bureau.

(j) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed as follows:

(1) In the case of commercial dry-cleaning communications, to the War Production Board, Service Trades Division, Washington 25, D. C., Ref: M–300–94 (commercial dry-cleaning).

(2) In the case of all other communications, to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–94.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3437; Filed, Mar. 3, 1945; 11:19 a. m.]

PART 3293—CHEMICALS

[General Allocation Order M-300, Schedule 95]

PERCHLORETHYLENE

§ 3293.1095 *Schedule 95 to General Allocation Order M–300*—(a) *Definitions.* For the purpose of this schedule:

(1) "Perchlorethylene", sometimes known as tetrachlorethylene, means the chemical CCl_2–CCl_2.

(2) "Drum" means a container with a capacity of approximately 52 gallons (700 pounds of perchlorethylene).

(b) *General provisions.* Perchlorethylene is subject to the provisions of General Allocation Order M–300 as an Appendix B material. The initial allocation date is March 1, 1944, when perchlorethylene first became subject to allocation under Order M–371 (revoked). The allocation period is the calendar month. The small order exemption without use certificate per person per month is any less-drum quantity totaling less than 700 pounds.

(c) *Transition from M–371.* Regular and interim allocations heretofore issued under Order M–371 are effective under this schedule, but authorizations to deliver are limited in duration as if originally issued under this schedule. Pending applications need not be refiled.

(d) *Suppliers' applications on WPB–2947.* Each supplier seeking authorization to use or deliver perchlorethylene shall file application on Form WPB–2947 (formerly PD–602). File separate sets of forms for dry cleaning requests in accordance with paragraph (f) of this schedule. Filing date is the 15th day of the month before the proposed delivery month. Send three copies (one certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–95. The unit of measure is pounds. Leave grade space blank. Fill in Table I as follows: First, in Column 1 list customers ordering 7,000 pounds (10 drums) or more for delivery during the next month, in Column 1–a enter each use stated in the certificate filed by each customer, and in Column 4 specify quantity ordered by each customer for each use; second, specify in Column 1 "From 700–7,000 pound orders" (one drum or more, but less than 10 drums) without specifying customers' names, in Column 1–a group the end uses stated in the certificate filed with these orders, and in Column 4 specify the aggregate quantity ordered for each use; third, in Column 1 specify "Less than one drum orders" without specifying customers names, in Column 1–a group the end uses for which the supplier believes the perchlorethylene is or will be ordered, and in Column 4 specify the aggregate quantity ordered or expected to be ordered for each use. Fill in the other columns as indicated. If the applicant supplier is seeking authorization to use any part of his own production or stock of perchlorethylene, he shall apply as if the consuming part of his organization were ordering from the production or distribution part of his organization. Fill in Table II.

(e) *Certified statements of use.* Each person placing orders for delivery of one drum (or 700 pounds) or more of perchlorethylene per month in the aggregate from all suppliers, shall furnish each supplier with a certified statement of proposed use, in the form prescribed in Appendix D of Order M–300. Specify proposed use as follows:

(1) *Primary product.* Primary product should be specified in terms of the following examples:

Vapor degreasing solvent.
Liquid degreasing solvent (specify whether used hot or cold).
Fire extinguisher fluid.
"Freon."
Hexachlorethane.
Solvent extractant.
Spotting and cleaning fluid.
Commercial dry cleaning.
Drugs and pharmaceuticals (specify).
Other product (specify).

(2) *Product end use.* End use should be specified to indicate the disposition of each primary product, such as civilian, industrial (specify general use, such as munitions, auto servicing, etc.), food processing or laboratory use. In the case of industrial uses specify, percentage required for Army, Navy, Maritime Commission and Lend-Lease purposes, respectively. Where the product is to be delivered directly to the Armed Services, or for Export, or on Lend-Lease, specify "Armed Services" or "Export" or "Lend-Lease," as the end use, without further end use description except contract, specifiation, export license or UNRRA requisition numbers.

(3) *Perchlorethylene requested for redelivery.* Proposed use may also be specified as "for resale on further authorization", "for resale on exempt orders of less than a drum", or "for export" (specify destination and export license or UNRRA requisition number).

(f) *Suppliers' applications on WPB–2947 for commercial dry-cleaning deliveries.* Each supplier seeking authorization to deliver perchlorethylene for commercial dry cleaning purposes shall file application on a separate set of WPB–2947 forms. Filing date is the 15th day of the month before the proposed delivery month. Send four copies (one certified) to the War Production Board, Service Trades Division, Washington 25, D. C., Ref: M–300–95 (commercial dry cleaning). On the upper right hand corner of the form write in "commercial dry cleaning delivery". The unit of measure is pounds. Leave grade space blank. In Table I list in Column 1 the name and address of each customer who has ordered a drum or more of perchlorethylene for delivery during the next month for commercial dry cleaning purposes. Fill in the rest of Table I as indicated and leave Table II blank.

(g) *Commercial dry-cleaning one-time reports.* (1) Each commercial drycleaner seeking delivery of a drum or more of perchlorethylene from any supplier during April, 1945, shall file a one-time report not later than March 15, 1945, on Form WPB–4009 with the War Production Board, Service Trades Division, Washington 25, D. C. If the first month for which a commercial drycleaner seeks delivery of perchlorethylene is after April, 1945, he shall file the one-time WPB–4009 report not later than 15 days prior to the requested delivery month. This report need not be refiled after it has been filed once under this schedule or under Schedule 78 (carbon tetrachloride) or Schedule 94 (trichlorethylene).

(2) This report is necessary for the Service Trades Division to support its recommendation for allocation to the Chemicals Bureau.

(h) *Budget Bureau approval.* The above reporting requirements have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(i) *Communications to War Production Board.* Reports and communications concerning this schedule shall be addressed as follows:

(1) In the case of commercial dry-cleaning communications, to the War Production Board, Service Trades Division, Washington 25, D. C., Ref: M–300–95 (commercial dry-cleaning).

(2) In the case of all other communications, to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M–300–95.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3433; Filed, Mar. 3, 1945; 11:18 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-371, Revocation]

TRICHLORETHYLENE AND PERCHLORETHYLENE

Section 3293.606 *Allocation Order M–371* is hereby revoked. This revocation does not affect any liabilities incurred under the order.

Trichlorethylene and perchlorethylene are subject to allocation under General Allocation Order M–300 as Appendix B materials subject to Schedule 94 (trichlorethylene) and Schedule 95 (perchlorethylene) issued simultaneously with this revocation.

Regular and interim allocations heretofore issued under Order M–371 are effective under this schedule, but authorizations to deliver are limited in duration

as if originally issued under this schedule. Pending applications need not be refiled.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3434; Filed, Mar. 8, 1945; 11:18 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-720, Modification]

LEO GLASS AND CO.

Leo Glass and Beatrice Glass doing business as Leo Glass and Company of 389 Fifth Avenue, New York, N. Y., manufacturers of costume jewelry were suspended on February 14, 1945 by Suspension Order No. S-720. They requested a modification of the order to permit them to do toll work. This request has been considered by the Deputy Chief Compliance Commissioner who has directed that the suspension order be modified. In view of the foregoing, it is hereby ordered:

Section 1010.720 *Suspension Order No. S-720* issued February 14, 1945 and effective February 21, 1945 be and hereby is modified so as to allow respondents to accept delivery of and put into process silver furnished to them by other persons for processing under a toll agreement.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3491; Filed, Mar. 3, 1945; 4:25 p. m.]

[Suspension Order S-731]

PART 1010—SUSPENSION ORDERS

ROLL-AWAY TRAILER CO.

Roll-Away Trailer Company is a partnership composed of Robert Schultz and Raymond A. Treydte engaged in the business of manufacturing house trailers and located at 2731 South Figueroa Street, Los Angeles, California. On or about June 9, 1944, the partnership sold and delivered to a person other than a dealer for resale, without specific authorization of the War Production Board, one new house trailer having a value of approximately $1,695 in violation of Limitation Order L-205. On or about June 20, 1944, the partnership sold and delivered to a person other than a dealer for resale, without specific authorization of the War Production Board, one new house trailer having a value of approximately $1,695 in violation of Limitation Order L-205. These violations were wilful on the part of the partnership and have interfered with the controls established by the War Production Board for the allocation of critical materials. In view of the foregoing, it is hereby ordered, that:

§ 1010.731 *Suspension Order No. S-731.* (a) Robert Schultz and Raymond A. Treydte, doing business as Roll-Away Trailer Company or under any other name, their successors and assigns, shall reduce their trailer production one trailer per quarter in each of the second and third quarters of 1945 below their allowed quota for such quarters under Limitation Order L-205 as amended from time to time.

(b) Nothing contained in this order shall be deemed to relieve Robert Schultz and Raymond A. Treydte, doing business as Roll-Away Trailer Company or under any other name, their successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3490; Filed, Mar. 3, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[S-722, Stay of Execution]

JAECKEL MANUFACTURING CO., INC.

Jaeckel Manufacturing Company, Inc., 7 Beverly Street, Providence, Rhode Island, engaged in the manufacturing of jewelry, has requested a stay of the provisions of Suspension Order No. S-722, issued February 16, 1945, on the ground that irreparable harm would be done its business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy. In view of the foregoing: *It is hereby ordered,* That:

The provisions of Suspension Order No. S-722, issued February 16, 1945, are hereby stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner or his Deputy.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3492; Filed, Mar. 3, 1945; 4:25 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-729]

RELIANCE REBUILDING CO.

Sylvester Papolardo, doing business as Reliance Rebuilding Company at 5809 St. Clair Avenue, Cleveland, Ohio, is engaged in the business of repairing and selling automotive parts and rebuilding shock absorbers. He applied an AA-2X preference rating and the allotment symbol MRO to an order for 1,000 iron castings to be used in the production of automobile radiator grill separator bars, and later accepted delivery of the castings disposing of 843 of them to his customers in the form of radiator grill separator bars. These acts constituted violations of Controlled Materials Plan Regulation No. 5 and Conservation Order M-126, and were due to his gross negligence.

These violations have diverted critical materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.729 *Suspension Order No. S-729.* (a) Sylvester Papolardo, doing business as Reliance Rebuilding Company or under any other name, his or its successors or assigns shall not for three months from the effective date of this suspension order apply or extend any preference ratings or use any CMP allotment symbols, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended or on which CMP allotment symbols are used: *Provided, however,* That this shall not prevent the application or extension of preference ratings and use of CMP allotment symbols to the extent permitted by the War Production Board orders and regulations for the purpose of obtaining materials or parts for the manufacture, rebuilding, or repair of motor vehicle shock absorbers, or for the purpose of obtaining maintenance, repair and operating supplies required for his own plant operations, but for no other purposes.

(b) Nothing contained in this order shall be deemed to relieve Sylvester Papolardo, doing business as Reliance Rebuilding Company or under any other name, his and its successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on March 5, 1945.

Issued this 26th day of February 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3549; Filed, Mar. 5, 1945; 11:51 a. m.]

PART 3284—BUILDING MATERIALS

[General Limitation Order L-228 as Amended Mar. 5, 1945]

ASPHALT AND TARRED ROOFING PRODUCTS AND ASPHALT SHINGLES

The fulfillment of requirements for the defense of the United States has created a situation which will result in a shortage in the supply of materials and facilities used in the manufacture of asphalt and tarred roofing products and asphalt shingles for defense, for private account and for export, unless raw material, transportation facilities and manpower are conserved through the simplification and reductions of types of these products and shingles; and for those purposes the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3284.76 *General Limitation Order L–228*—(a) *Definitions.* For the purpose of this order:

(1) "Asphalt and tarred roofing products" means dry felt made of organic fiber impregnated with bitumen, designed and constructed to be applied to the exterior surface of a building or structure for the purpose of weather-proofing such surface. Asphalt and tarred roofing products may be coated with a more viscous bitumen than that used in impregnating the dry felt and may be surfaced with granular material such as, but not limited to crushed rock, slate or quartz. Asphalt and tarred roofing products shall not include the following: Combination flashing material, pipe covering, felt or corrugated asphalt panel or siding board, building or sheathing papers, prefabricated weatherproofed sheathing, prefabricated weather proofed roof board, and 40" plasterers' felt.

(2) "Asphalt shingles" means dry felt manufactured from organic fiber impregnated with asphalt, designed and shaped for application in the form of shingles to the exterior surface of a building or structure for the purpose of weather-proofing such surface. Asphalt shingles may be coated with a more viscous asphalt than that used in impregnating the dry felt and may be surfaced with granular material such as, but not limited to crushed rock, slate or quartz.

(b) *General instructions.* No person shall manufacture, fabricate or process any asphalt and tarred roofing products or asphalt shingles except:

(1) To conform to the schedules of types, grades, weights, styles, finished sizes, or qualities listed on Schedule A hereto attached, or as permitted by the terms of said Schedule A; or

(2) When designed and constructed to be physically incorporated into railroad cars, motor vehicles, shoes, or products other than asphalt and tarred roofing products.

(c) *Records.* All persons affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales.

(d) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection, by duly authorized representatives of the War Production Board.

(e) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 or a letter, in triplicate, with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates. The appeal shall refer to the provision appealed from and state fully the grounds for the appeal.

(h) *Communications.* Reports to be filed and all other communications, except appeals, concerning this order shall be addressed to War Production Board, Building Materials Division, Washington 25, D. C., Ref.: L–228.

Issued this 5th day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

Where a person is limited, by the restrictions under any table of this schedule, to a specified number (usually one) of styles, designs, grades, qualities, widths, sizes, textures or finishes of a specified type of a product, he may not make any change from the styles, designs, grades, qualities, widths, sizes, textures or finishes which he is making on August 11, 1944, unless he is granted permission by the War Production Board after filing an appeal under paragraph (g) of this order.

Where the term "finished weight" is used in this schedule and a tolerance is allowed, the term means the weight which a person must use as his standard in manufacturing the particular item. The tolerance is permitted only to allow for uncontrollable manufacturing variations. In other words, the manufacturer must, in setting up his production facilities, aim at the finished weight specified in this order. However, if he cannot adhere rigidly to the specified weight because of uncontrollable manufacturing variations, a variation within the allowable tolerance will not be a violation of the order.

[Types, sizes and forms of asphalt and tarred roofing products and asphalt shingles]

TABLE 1

NOTE: Fourth item deleted from Table 1 Mar. 5, 1945.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
SMOOTH SURFACE ROLL ROOFING			
Type 1—Grade A	65	108	58
Type 2—Grade A	55	108	48
Type 3—Grade B	45	108	34

Other restrictions. Finished weight to be shipping weight (including packaging materials and fixtures) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one style, grade, texture, finish and width may be manufactured for each type in any one manufacturing plant. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area and may be furnished with or without fixtures. Valley, ridge, starter and repair strips of any length and not exceeding 24" in width may be manufactured.

TABLE 2

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 1—No selvage edge	90	108	48
Type 2—2" selvage edge	90	108	48
Type 3—4" selvage edge	94	114	48

Other restrictions. Finished weight to be shipping weight (including packaging materials and fixtures) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one style and quality may be manufactured for each type in any one manufacturing plant. Rolls may be made in both 32" and 36" widths. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area and may be furnished with or without fixtures. Texture, color and finish not limited. Valley, ridge, starter and repair strips of any length and not exceeding 24" in width may be manufactured only from Type 1 Mineral Surfaced Roll Roofing.

TABLE 3

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 4—17" or 19" selvage edge—uncoated back and selvage.	55	108	48
Type 5—17" or 19" selvage edge—coated back and/or selvage.	55 to 61, inclusive.	108	48

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Type 4 and type 5 may both be produced by any person. However, each person desiring to make type 5 must select one finished weight between 55 and 61 pounds, inclusive, and must thereafter use that figure as his finished weight. Under each type, only one style, quality and width of selvage edge may be manufactured in any one manufacturing plant. Texture and color not limited. Packages to contain sufficient material to cover 50 sq. ft. of roof area.

TABLE 4

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
MINERAL SURFACED ROLL ROOFING			
Type 5—Pattern Edge Style	105	128	48

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Only one edge-style, quality and width of pattern edge may be manufactured in any one manufacturing plant. Texture, color and finish not limited. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area.

TABLE 5

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SIDINGS			
Type 1—Roll Form	105	111	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. May be manufactured in one stone style and one brick style, but both styles to be manufactured in only one dry felt weight and quality in any one manufacturing plant. Color and finish not limited. Accessories for completing application, such as, corner pieces and soldier courses may be manufactured.

TABLE 6

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SIDINGS			
Type 2—Shingle Form	224	240	48

Other restrictions. Finished weight (including packaging materials) per unit area herein designated is maximum and any shipping weight less than maximum is permitted. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Manufacture restricted to one design and quality in any one manufacturing plant. No design shall be manufactured which requires a head-lap in excess of one inch to obtain a desired pattern. Texture, color and finish not limited. Accessories for completing application such as corner pieces and soldier courses may be manufactured.

TABLE 7

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 1—Asphalt Saturated Felt.	15	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 1 lb. per 100 sq. ft. May be manufactured in two qualities and packaged in any or all of the following size rolls (by content): 216 sq. ft., 324 sq. ft. and 432 sq. ft. May be made in both 32″ and 36″ widths. Valley, starter and felt edging strips of any length and not exceeding 24″ in width may be manufactured.

TABLE 8

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 2—Asphalt Saturated Felt.	30	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 2 lbs. per 100 sq. ft. Shall be manufactured in one quality and packaged in rolls of a size containing 216 sq. ft. May be made in both 32″ and 36″ widths. Valley, starter and felt edging strips of any length and not exceeding 24″ in width may be manufactured.

TABLE 9

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 3—Tarred Saturated Felt	15	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 1 lb. per 100 sq. ft. May be manufactured in two qualities and packaged in any or all of the following size rolls (by content): 216 sq. ft., 324 sq. ft. and 432 sq. ft. May be made in both 32″ and 36″ widths. Valley, starter and felt edging strips of any length and not exceeding 24″ in width may be manufactured.

TABLE 10

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 4—Tarred Saturated Felt.	30	108	Optional.

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 2 pounds per 100 sq. ft. Shall be manufactured in one quality and packaged in rolls of a size containing 216 sq. ft. May be made in both 32″ and 36″ widths. Valley, starter and felt edging strips of any length and not exceeding 24″ in width may be manufactured.

TABLE 11

NOTE: Table amended in its entirety Mar. 5, 1945.

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
BUILT-UP ROOFING PRODUCTS			
Type 5—Saturated and coated felt (medium weight) for a cap and base sheet, and a cold application sheet	43	108	34
Type 6—Saturated and coated felt (heavy weight) for a cap and base sheet, and a cold application sheet	53	108	48

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 square feet of moisture-free felt. Under Product "Type 5", only one quality and width may be manufactured, limited to two variations of style, texture, and finish. Under Product "Type 6" only one quality and width may be manufactured, limited to two variations of style, texture, and finish. Packages to contain sufficient material to cover 100 sq. ft. or more of roof area, and to be furnished without fixtures.

TABLE 12

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SHINGLES			
Type 1-A—Cut-out Strip Styles (12″ wide) double slated and double coated	210	240	48
Type 1-B—Cut-out Strip Styles (12″ wide) other than double slated and double coated	215	240	48

Other restrictions. Finished weight to be shipping weight (including packaging materials) per unit area herein designated, subject to tolerance of plus or minus 4%. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Either type 1-A or type 1-B, but not both, may be manufactured in any one manufacturing plant. The type selected may be manufactured in only one design and quality in any one manufacturing plant. Texture and color not limited. Accessories for completing application such as hip and ridge shingles, starter, valley and ridge strips may be manufactured. Starter, valley and ridge strips of any length may be made in widths not exceeding 24″. Hip and ridge shingles in size not to exceed 10″ x 13″ nor to contain less than 48, but not to exceed 52, dry felt weight shall be manufactured in only one size, design, quality and weight in any one manufacturing plant.

TABLE 13

Product	Finished weight (pounds per unit area)	Unit area (square feet)	Dry felt (weight)
ASPHALT SHINGLES			
Type 2—Hexagonal or other Strip Style	170	200	48
Type 3—Heavy Weight—Individual Re-roofer	165	175	48
Type 4—Standard Weight—Individual Re-roofer	140	160	48

Other restrictions. Finished weight (including packaging materials) per unit area herein designated is maximum and any finished weight less than maximum is permitted. Dry felt weight to be minimum weight in pounds per 480 sq. ft. of moisture-free felt. Shall be manufactured in one design and quality for each type in any one manufacturing plant. Texture, color and finish not limited. Accessories for completing application such as hip and ridge shingles, starter, valley and ridge strips may be manufactured. Starter, valley and ridge strips of any length may be made in widths not exceeding 24″. Hip and ridge shingles in size not to exceed 10″ x 13″ nor to contain less than 48, but not to exceed 52, dry felt weight shall be manufactured in one size, design, quality and weight in any one manufacturing plant.

[F. R. Doc. 45-3546; Filed, Mar. 5, 1945; 11:51 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-385, Direction 1]

REPLACEMENT OF THE ORDER BY M-388A

The following direction is issued pursuant to General Conservation M-385:

(a) As of the close of business, March 31, 1945, Order M-385 will be replaced by Order M-388A, which assigns substantially the same ratings. All rated orders for delivery after March 31, 1945 must conform with the requirements of M-388 and M-388A. Orders placed under M-385 for delivery after March 31, 1945 will become automatically unrated as of the close of business March 31, 1945 unless the manufacturer qualifies under M-388 and M-388A, and the orders are confirmed by certification as required by paragraph (1) (4) of M-388.

(b) All deliveries received prior to April 1, 1945 on ratings assigned by M-385 must be used as required by M-385.

(c) This direction does not affect in any way any liability or penalty accrued or incurred under Order M-385.

Issued this 5th day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3547; Filed, Mar. 5, 1945; 11:51 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix III, as Amended Mar. 5, 1945]

Appendix III to Rubber Order R-1 as amended is divided into two parts. Part A contains regulations applicable to the distribution or use of end products. Part B contains special or temporary manufacturing regulations which for the most part involve the conversion of products from crude rubber to synthetics. Part B manufacturing regulations govern in case of inconsistency with other provisions of Rubber Order R-1.

Appendix III will be reissued from time to time for the purpose of deleting or revising special or temporary regulations.

A. *End Product Regulations*

§ 4600.30 *Acquisition of tires and tubes for original equipment.* In order to obtain tires and tubes for original equipment, a manufacturer must certify his purchase order in substantially the following form signed by an authorized official unless the tires are subject to the Tire Allotment Plan (Appendix IV of this order), in which case the tires may be obtained only under Appendix IV:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the tires listed on the attached purchase order are required by him for mounting on original equipment and

that the deliveries specified will not result at any time in an inventory exceeding 30 days' supply based upon his total authorized monthly production.

Authorized official.

Use of the above certification constitutes a representation that the deliveries scheduled will not result in the acquisition of more tires and tubes (including inventory) than are required for the particular manufacturer's production of vehicles or equipment during the 30-day period following each scheduled delivery. In the event of a decrease in the number of products actually required, the manufacturer shall notify his supplier of the reduction, and the scheduled deliveries shall be revised accordingly.

§ 4600.31 *Acquisition of industrial type tires and tubes and solid tires for replacement purposes.* (a) No person shall deliver or accept delivery of any pneumatic tire described in paragraph (b) below for replacement on any passenger automobile, motorcycle, bus, farm implement, farm tractor or commercial motor vehicle except in accordance with OPA Ration Order 1A. The following certification procedure is applicable only to new pneumatic tires and tubes of the sizes and types described below for replacement on other types of vehicles and equipment and to any industrial or highway solid tire for replacement purposes regardless of the type of vehicle or equipment.

For example, a person who wishes to replace a straight side pneumatic tire in size 4.00–12 on a passenger car or small delivery truck, may do so only under the ration order. On the other hand, a person who requires the same tire for replacement on material handling equipment such as an industrial power truck uses the certification procedure.

Replacement tires or tubes of the following types are subject to the provisions of the ration order, even though the tires or tubes are required for industrial equipment: passenger, motorcycle, truck-bus and special purpose, or farm tractor-implement.

(b) *Certification of purchase orders.* No person shall deliver any tires or tubes for replacement purposes (except as otherwise provided in OPA Ration Order 1A) in the following classifications:

(1) Any straight side pneumatic tire designed primarily for industrial use up to and including size 4.50–12 and the following sizes: 6.00–9, 7.50–10, 7.50–15 (4-ply, smooth tread only) and 9.00–10;

(2) Any single tube pneumatic tire designed primarily for industrial use;

(3) Any industrial or highway solid tire:

Unless the person acquiring the same shall attach to his purchase order a certification in substantially the following form signed by an authorized official either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to------ ----------(insert name and address of seller) and to the War Production Board that he is familiar with Rubber Order R–1 and that the products listed on this purchase order are required by him for replacement purposes within 30 days from the date of this certification and do not include any pneumatic tires or tubes for any passenger automobile, motorcycle, bus, farm implement, farm tractor, or commercial motor vehicle.

Date

Name of Purchaser

Authorized Official

Definitions of the vehicles and equipment for which replacement tires or tubes may not be obtained by certification are set forth in OPA Ration Order 1A.

(c) *Preference ratings.* Tires and tubes which are subject to the foregoing certification procedure may be produced or delivered to fill civilian orders for replacement purposes (identified by certification) without regard to preference ratings. Any rating purporting to be applied or extended to any such tires or tubes for replacement purposes shall be void and no person shall give any effect to it except in filling Government orders.

§ 4600.32 *Hydraulic and gasoline dispensing hose.* (a) No hose manufacturer shall deliver any of the following types of hose to any person except as specifically authorized by the War Production Board under this section:

(1) High pressure 1-wire, 2-wire, and 3-wire braided.

(2) Medium pressure—Specifications AN–H–6a.

(3) Low pressure—Specification AN–ZZ–H–626a.

(4) Gasoline Dispensing Hose—Specifications AXS–1054, AXS–1055, 33–H–2, 33–H–8, 26551, FS–ZZ–H–471, and similar types of hose.

(b) On or about the 20th of each month, each hose manufacturer will receive written authorization to make certain shipments during the following calendar month. The authorized shipments will cover his production for that month.

(c) Persons to whom shipments are authorized to be made under paragraph (b) will receive, on or about the 20th of each month, written directions from the War Production Board specifying the purposes for which this hose may be used. No person may use any such hose contrary to these directions.

(d) In some cases hose manufacturers will be authorized to ship certain quantities of hose through regular trade channels without restriction, and such hose may be purchased and used freely. Persons for whom direct shipments have not been authorized under paragraph (b) and who are unable to obtain hose through regular trade channels under this paragraph (d), may apply to the Rubber Bureau, War Production Board, Washington 25, D. C., for authorization to obtain hose. The application should describe the end use and state the amount of hose required by size and type. Authorizations will be granted only in cases where the proposed end use is highly essential to the war effort.

(e) Each manufacturer of the above types of hose shall report by letter to the Rubber Bureau, War Production Board, the quantities shipped by him during each calendar month by size, type, claimant agency and customer. This report should be filed on or before the 10th day of the month following the month covered by the report.

§ 4600.33 *Crude rubber and latex gloves.* No person shall sell any light weight gloves manufactured from crude rubber or natural latex except in accordance with the following regulations:

(a) *Sales to institutions.* Sales may be made to institutions such as hospitals, dispensaries and clinics, which use the ratings assigned to them under CMP Regulation 5A to obtain crude rubber or latex gloves for use by their professional personnel in connection with the practice of medicine. Use of the certification provided in that regulation constitutes a representation by the institution to its supplier that it requires light weight gloves manufactured from crude rubber or latex for use by its professional personnel in connection with the practice of medicine.

Sales may also be made to an institution, without a rating, upon certification by the institution to its supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the light weight rubber gloves specified in the attached purchase order are required by (insert name of institution) for use by its professional personnel in connection with the practice of medicine.

Date:

Signature and Title of Authorized Official

(b) *Sales to physicians.* Sales may be made to a practicing physician for professional use but only upon certification by the physician to his supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that he is a practicing physician and that the light weight gloves purchased are required by him for use in the practice of his profession.

Date:

(c) *Exempt orders.* U. S. Army and Navy orders and orders of The American Red Cross may be filled without regard to the restrictions of this section.

(d) *Resale.* A person may sell crude rubber or latex gloves to another person for resale under this section, but only upon certification by the purchaser to his supplier in substantially the following form:

The undersigned hereby certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the light weight rubber gloves specified in the attached purchase order will be sold only under the restrictions contained in Rubber Order R–1 as amended, and that he is familiar with said restrictions.

Date:

Signature and Title of Authorized Official

Any person who has filed the above certification with his supplier need not certify subsequent purchases from the same supplier.

§ 4600.34 *Miscellaneous products.* No person shall deliver any of the following listed products to fill civilian orders unless the purchaser certifies to his supplier in substantially the following form:

The undersigned certifies, subject to the criminal penalties for misrepresentation contained in section 35 (A) of the United States Criminal Code, that the products purchased by him are required for a permitted use specified in Rubber Order R–1, in connection with his business or profession (or if reseller, substitute the following clause—that the products purchased by him will be sold only in accordance with Rubber Order R–1 as amended).

Purchaser or authorized official.

This section does not apply to Government orders.

Product description	*Permitted uses*
Fabric backed pressure sensitive tape (except high heat resistant and non-corrosive electrical tape).	Repair of transportation facilities: Maintenance and manufacture of industrial and mining equipment; the manufacture of the following products and parts thereof: (a) Aircraft, (b) Armored tanks, (c) Ships, (d) Army transport vehicles, (e) Guns, (f) Small arms, (g) Signalling devices, (h) Precision instruments, (i) Munitions, (j) Electrical equipment, (k) Machine tools, (l) Vehicles for common carriers and related transportation facilities. Splicing cotton jacketed cellulose gaskets for sealing drums and paint pails; production and shipping of photographic and motion picture film and X-ray film; sealing containers used to maintain sterility or vacuum in the manufacture of medicine and drugs; industrial and wholesale packaging of drugs and chemicals.

A person who has filed the above certification with his supplier need not certify subsequent purchases of the same products. The certification shall be deemed applicable to all purchases.

A supplier may continue to fill orders for fabric backed pressure sensitive tape under the form certification previously required for purchases of pressure sensitive tape.

B. *Temporary or Special Manufacturing Regulations*

§ 4600.40 *Tires and tubes.* The following regulations are applicable to tires and tubes notwithstanding other regulations contained in Rubber Order R–1 as amended:

(a) *Restrictions on consumption of cotton in the manufacture of passenger, motorcycle and bicycle tires.* Except in the production of passenger tires for the War Department, Navy Department, Maritime Commission, Aircraft Resources Control Office and the Foreign Economic Administration for Lend-Lease account, no manufacturer of passenger, motorcycle, or bicycle tires shall consume any cotton in the production of such tires except as specifically authorized by the War Production Board.

(1) The word "cotton" as used in the preceding paragraph (a) means total cotton content of cotton cord and square-woven fabric on a gross poundage basis including moisture content, processing losses and scrap; and the word "consume" means to fabricate, process, stamp, cut or in any manner make any substantial change in the form, shape or chemical composition of the cotton.

(b) *Synthetic construction, airplane tires.* List 29, Appendix II, regulates the manufacture of airplane tires, but synthetic construction shall be used in the manufacture of airplane tires in accordance with the following regulations:

Size	Synthetic construction	Mandatory date
4, 6 and 8 ply (including Nylon construction)	S–6	May 1, 1944
10 and 12 ply (excepting Nylon construction)	S–6	Do.
10 x 3/4 ply HPA (excepting Nylon construction)	S–4	June 1, 1944
6.00—6/4 ply LPL (excepting Nylon construction)	S–4	Do.
6.50—10/6 ply LPL (excepting Nylon construction)	S–4	Do.
7.00—6/4 ply LPL (excepting Nylon construction)	S–4	Do.
6.50—10/6 ply LPL (excepting Nylon construction)	S–4	Do.
7.00—6/4 ply LPL (excepting Nylon construction)	S–4	Do.
7.50—10/6 ply LPL (excepting Nylon construction)	S–4	Do.
8.50—10/6 ply LPL (excepting Nylon construction)	S–4	Do.
8.90—12.50/4 ply LPL (excepting Nylon construction)	S–4	Do.
5.00—4/6 ply LPA (excepting Nylon construction)	S–4	Do.
7.00—5/4 ply LPA (excepting Nylon construction)	S–4	Do.
8.00—5/6 ply LPA (excepting Nylon construction)	S–4	Do.
9.50—12/6 ply LPBG (excepting Nylon construction)	S–4	Do.
11.00—12/8 ply LPBG (excepting Nylon construction)	S–4	Do.
10 and 12 ply (including Nylon construction)	S–6	July 1, 1944
14 ply and up (excepting Nylon construction)	S–6	Aug. 1, 1944
All 4, 6 and 8 ply (excepting Nylon construction)	S–4	Do.
14 ply and up (including Nylon construction)	S–6	Sept. 1, 1944

When nylon is used the S–6 or S–4 construction may be used at the option of the manufacturer and subject to the approval of the procuring agency, in which case those regulations designated for S–6 and S–4 constructions shall apply to nylon tires. If the S–6 or S–4 construction is not used with nylon prior to the date on which it is mandatory, as shown above, then the S–5 (or S–7) construction shall be used and shall conform to the regulations for S–5 (or S–7) construction as set forth in List 22, Appendix II, Rubber Order R–1, as amended.

Airplane tires in 14 plies and up may be manufactured in S–6 construction at the option of the manufacturer and subject to the approval of the procuring agency, in which case those regulations designated for S–6 construction shall apply. If the S–6 construction is not used prior to the date on which it is mandatory, as shown above, then the S–5 (or S–7) construction shall be used and shall conform to the regulations for S–5 (or S–7) construction as set forth in List 22, Appendix II, Rubber Order R–1, as amended.

(c) [Deleted Nov. 16, 1944.]

(d) [Deleted Aug. 25, 1944.]

(e) [Deleted Aug. 25, 1944.]

(f) [Deleted Nov. 16, 1944.]

(g) [Deleted Nov. 16, 1944.]

§ 4600.41 *Wire and cable.* The following regulations are applicable to wire and cable notwithstanding other regulations of Rubber Order R–1 as amended.

(a) *Insulation.* List 27, Appendix II, regulates the use of crude rubber and latex in wire and cable insulation. Until October 1, 1944, the following ignition cables may be manufactured in accordance with the regulations set forth below:

Item	Specification	Insulation compound
Aircraft ignition cable	32427	W–AA.
	AN–JC–56	W–AA.

§ 4600.42 *Airborne life rafts.* No more crude rubber and natural latex by weight than specified below (including building cements) may be consumed per unit in the manufacture of the following airborne life rafts:

Type:	*Maximum content crude and latex in pounds (total)*
C–2	4.50
A–3	11.15
E–2	16.00
Mark II M–3–R	4.75
Mark IV M–3–R	7.00
Mark VII M–3–R	9.00
Neoprene sandwich:	
A–3	9.00
E–2	12.00

§ 4600.43 *GR–I plant clean-up material.* (a) "GR–I (Butyl) plant clean-up material" means GR–I (Butyl) from which the contamination of foreign matter has not been completely removed and the plasticity of which varies. In some cases this material has been strained.

(b) Notwithstanding restrictions applicable to the consumption of GR–I (Butyl), any person may consume GR–I plant clean-up material in the manufacture of any product listed in Appendix I to Rubber Order R–1 as amended, without specific authorization from the War Production Board.

(c) Purchase requests for GR–I plant clean-up material should be made on Form WPB–3682, in accordance with

instructions accompanying the form. GR–I plant clean-up material must be specified on the form.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379 as amended by E.O. 9475, 9 F.R. 10817; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64)

Issued this 5th day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45–3548; Filed, Mar. 5, 1945; 11:51 a. m.]

PART 904—PROCUREMENT

[Directive 40]

CLEARANCE AND CONSULTATION ON CUTBACKS

§ 904.6 *Directive No. 40* (a) In order to insure complete consideration and coordination in the field of cutbacks[1] or other production adjustments, there has been established under the direction of the Production Executive Committee of the War Production Board, a committee known as the Production Readjustment Committee, made up of representatives of the Armed Services, War Manpower Commission, Smaller War Plants Corporation, Maritime Commission, War Food Administration, Office of War Utilities, and several offices within the War Production Board, including the Office of Civilian Requirements, the Office of Labor Production, the Office of Manpower Requirements, the Program Vice Chairman, the Operations Vice Chairman, the Vice Chairman for Field Operations and the Vice Chairman for Metals and Minerals.

Current Cutbacks

Consultation as to Where the Cut Is To Be Made

(b) There is established under the Production Readjustment Committee a Current Production Adjustments Division.

(c) This Division will circulate to representatives of all members of the Production Readjustment Committee copies of proposed cutbacks of the procurement agencies.

(d) *Cutbacks involving over $500,000 in any one month of the succeeding 12 months.*[2] (1) As soon as the procurement agency[3] determines that a reduction in procurement of an end product is required, it will submit to the Current Production Adjustments Division a form (PEC Form A) describing the reduced schedule of the end item.

(2) After the procurement agency has analyzed the proposed reduction in more detail, it will submit a form (PEC Form B) giving its recommendation as to the manner in which the cut should be distributed among the prime contractors involved.

(3) The several agencies and offices are given an opportunity to examine the cutback from the point of view of their particular interest, and to report, within an agreed upon time schedule (less than 24 hours), to the Director of the Division their agreement or disagreement with the distribution of the proposed cutback.

(4) In the event of disagreement, the Director of the Current Production Adjustments Division will bring together the interested parties and make a ruling the same day. Such ruling will be based on the evidence submitted within the terms of the criteria established in the directive of the Director of the Office of War Mobilization and Reconversion entitled, "Policies of Contract Curtailment, Non-renewal and Termination", under date of January 20, 1945.

(5) Such ruling, unless appealed, shall be accepted by the procurement agency, and its final decision and implementation thereof shall be in accordance with the ruling. In those cases where, because of unusual circumstances in the opinion of the procurement agency, action at variance with such ruling must be taken within established notification procedures, justification for such action must be presented to the Chairman of the Production Readjustment Committee within ten days after the date of the action.

(6) Such rulings may be appealed by any member agency or office to the Production Readjustment Committee and, in the event of disagreement at this level, to the Production Executive Committee of the War Production Board.

(7) In the case where a cutback involving over $500,000 (paragraph (d) above) also involves a cutback of $100,000 in any one month of the succeeding twelve months in any one outstanding prime contract, a report on PEC Form C will be filed, but the 48-hour limitation (referred to in subparagraph (e) (2) below) shall not apply.

(e) *Cutbacks involving over $100,000 but less than $500,000 under one outstanding prime contract in any one month of the succeeding 12 months.* (1) The procurement agency will prepare a form (PEC Form C) giving the pertinent information as to the cutback.

(2) This form is to be received by the Current Production Adjustments Division in the case of Washington action by the procurement agencies—or by the regional or district office of the War Production Board in the case of field action by the procurement agencies—at least 48 hours (exclusive of Sundays) before termination notice is given to the contractor by the procurement agency. (Adequate time over and above the 48 hours must be allowed for transmittal.)

(3) The War Production Board (Current Production Adjustments Division in the case of Washington action, the regional or district office in the case of field action) will distribute the pertinent information to the other agencies involved.

Procedure for Notification of Workers and Management in Affected Plant

(f) In advance of the decision to make an adjustment, preliminary discussions as to the technical problems involved are often held by the procurement agencies with the management. This is not a universal rule.

(g) Preliminary discussions for the purpose of developing suggestions are held in the Current Production Adjustments Division at the time of the agreement as to where the cut is to be made. (Paragraph (d) above).

(h) In the case of cutbacks involving a substantial release of labor on which "major case procedure"[4] is ordered by the Director of the Current Production Adjustments Division, as soon as the Division has acted (PEC Form D), notification will be given to the War Production Board Chairman of the local Termination Committee,[5] which is established as a sub-committee of the Production Urgency Committee.

(1) The Chairman of the local termination committee will be responsible for holding a preliminary meeting with the State WMC Director or his designee, the appropriate representative of the Procurement Agency and the WPB Labor representative, to discuss the effect of the cutback and suitable action.

(2) The procurement agency will notify the contractor of the curtailment or termination. It is the intention that the contractor shall first hear about such curtailment or termination from his Procurement Agency and not from any other source. The procurement agency will not give such notification until its representative has consulted with the Chairman of the local termination committee.

(3) The WPB Chairman of the local termination committee will arrange for a meeting to be held with the interested procurement agency, the War Manpower Commission, company management and the representatives of the workers. (The timing of any notification shall be such that the workers are

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[1] A "cutback" is a revision of delivery schedules under contract that (a) eliminates all or part of the items to be delivered under one or more contracts for a complete end item or its equipment, subassemblies, components, accessories, replacement parts, materials, etc., or that (b) reduces the rate of deliveries scheduled for any period. Items, parts, or materials that are alike in their principal specifications or that are usually procured together or grouped in one procurement program are regarded as one item or material within the meaning of this definition.

[2] Except subsistence and certain other programs specifically exempted by the Production Executive Committee.

[3] Proposed cutbacks will also be submitted by the War Production Board and other non-procurement agencies under a similar procedure.

[4] "Major case procedure" is the term used to designate those cases where arrangements for special notification of labor seem necessary because of the size of the lay-off.

[5] The Army Service Forces will not have permanent representation on the local termination committee. Instead ASF contact with the local termination committee will be through the contracting officer in charge of the particular cutback on which major case procedure has been ordered.

informed of the reduction before the notification is made to the press.)

(i) Simultaneously with action under paragraph (h) (2) above, notification of the curtailment or termination is given by the War Production Board Labor Vice Chairman to the National Unions.

(j) In the cases of cutbacks which do not qualify for reporting on PEC Form A or Form B (as explained in paragraphs (d) (1) and (d) (2) above) but which involve a substantial layoff, the responsible procurement service is requested to advise the War Production Board Chairman of the local termination committee and either arrange for a meeting with the company management and representatives of workers or request the War Production Board to arrange such a meeting.

(k) In order to insure adequate time for consultation, the procurement agencies are requested to conduct their requirements planning so as to provide as much time as possible between the notification of the contractor and the time when he is required to stop or substantially reduce the schedule of production. The procurement agencies will so adjust their procurement planning, procurement controls, and inventory controls as to make it possible to notify plants of work stoppages at least seven days in advance of the date of work stoppages when the cutback is over $100,000 per month in any one of the succeeding twelve months in one establishment and will involve release of workers. Exceptions to this rule may be made by clearance with the Chairman of the Production Readjustment Committee. In those cases where emergency action must be taken (within established procedure) in order to avoid loss to the Government due to causes beyond the procurement agency's control, a substantiation of the need for emergency action must be presented to the Chairman of the Production Readjustment Committee within ten days after the date of actual work stoppage involving the release of workers.

Use of Released Facilities and Manpower

(l) *Organization.* (1) The Production Readjustment Committee in cooperation with the interested agencies of the procurement agencies will be responsible for the most effective utilization of released facilities within the policies stated in (m) below. Particular emphasis will be placed upon channeling war production into facilities in advance of the effective dates of cutbacks so that existing production organizations may be preserved.

(2) The referral of workers will be the responsibility of the War Manpower Commission.

(3) In each region the Production Urgency Committee will assume responsibility for the most effective use of the released facilities.

(m) *Policy.* The Production Readjustment Committee has established the following policy with reference to the order of priority of the released facilities and manpower:

Each case must be considered on its individual merits, but the following order will serve as a set of objectives in the use of released facilities and manpower:

(1) Transfer workers to other war work within the plant.

(2) Put "must program" [6] work in the facility.

(3) Put other war work in the facility.

(i) This will not apply in the case of communities whose facilities, such as housing, are already overloaded if it is necessary to bring the war work in from outside the community, but will apply, even in crowded communities, to the transfer of war work within the community. (ii) If a plant has war production which will start in the next 60–90 days, consideration should be given to putting standby work in the plant.

(4) Released workers to be directed to other "must" work.

(5) Released workers to be directed to other war work.

(6) Non-military production in order of urgency.

(n) The Military Sub-Committee in Washington and the local termination committees will be informed by the procurement agencies of pending procurement by continuance of present procedures so that it will be in a position to recommend the use of released facilities for such procurement.

(o) *Runouts.* (1) The Production Urgency Committee will assume primary responsibility for the proper utilization of the facilities which are to become available through contract runouts.

(i) The Field Representatives of the procurement agencies shall furnish the nearest War Production Board District Offices any information at their disposal concerning the runout of work in the plants under their cognizance.

(ii) Contracts available for placement by the procurement agencies shall be placed promptly, where feasible, in open capacity recommended for use by the Chairman of the Production Urgency Committee.

(2) Information concerning available facilities will be collected through the War Production Board Field Offices and correlated by the Military Sub-Committee for distribution to:

(i) The procurement officers of the procurement agencies.

(ii) Production Urgency Committees for use in approving placement of contracts or recommending the removal of military contracts from one area to another.

(iii) WPB Regional and District Offices for assistance in placing subcontracts.

(iv) The Construction Requirements Committee of the War Production Board.

(v) The Industry Divisions of the War Production Board.

(vi) The National Labor Unions.

(vii) Smaller War Plants Corporation Regional and District Offices.

(3) The Military Sub-Committee will make joint studies with the procurement agencies concerning the effect of runouts of the major procurement programs.

[6] Items on the National Production Urgency List or those given equivalent ratings by the Production Urgency Committee.

Advance Planning of Period I [7] *Reductions*

Consultation as to Where the Cut Is To Be Made

(p) There has been established under the Production Readjustment Committee a Period I Adjustments Group made up of the same agencies and offices as represented on the Production Readjustment Committee.

(1) This group will receive from the procurement agencies (and War Production Board in the case of certain government-financed production) their plans for the initial Period I cutbacks.[8]

(2) Those plans are examined in light of special interest of the several members of the several agencies and offices represented and within the terms of the criteria established by the directive of the Director of the Office of War Mobilization and Reconversion entitled "Policies of Contract Curtailment, Non-renewal and Termination", under date of January 20, 1945.

(3) The ruling of the Period I Adjustments Group as to which plants will be curtailed will be transmitted to the procurement agency.

(4) Such ruling, unless appealed, shall be accepted by the procurement agency, and its final decision and implementation thereof shall be in accordance with the ruling.

(5) Such ruling may be appealed by any member agency or office to the Production Readjustment Committee and, in event of disagreement at this level, to the Production Executive Committee.

(q) Recognizing the administrative impracticability of using the procedures for current cutbacks at the outset of Period I, such procedures will be waived for such period of time after the start of Period I as may be determined by the Production Executive Committee to be necessary to make the initial large-scale adjustments. This waiver is on the understanding that the procurement agencies will report all possible information relative to the cutbacks to the War Production Board in advance of the outset of Period I and that the cutbacks not ruled upon or reported in advance will be made under established policies.

(1) It will not be necessary that individual PEC Form C's be prepared and submitted 48 hours in advance of termination during the period outlined in paragraph (q) above. The procurement agencies will, however, maintain an adequate record of information similar to that contained on Form C which shall be made available to the War Production Board.

(2) If the plans of the procurement agencies seem to indicate a small volume of adjustments at the outset of Period I, the Production Executive Committee at or before the start of Period I may revoke this provision and continue the procedures for current cutbacks.

[7] "Period I" means the period elapsing between the defeat of Germany and the defeat of Japan.

[8] With certain exceptions specifically approved by the Production Readjustment Committee.

(r) In the case of major industries, prior to the discussions of the Period I Adjustments Group, the Industry Divisions of the War Production Board will discuss, through the Industry Advisory Committees and Labor Advisory Committees, all aspects of the Period I problems of the industry. This discussion will include obtaining the views of the affected industries in broad terms as to the desirable burden of cutbacks. This information will be available to the Period I Adjustments Group through the representatives of the Industry Divisions and the Labor Vice Chairman.

Consultation as to the Effect of the Cutback

(s) Summary information in overall terms as to industries and areas will be made available to industry through the Industry Advisory Committees and to labor through the National Unions.

(t) Advice to the specific plants affected will be made by the procurement agency.

(u) The procurement agencies, in advising management of contemplated cutbacks, will request management to make the information available promptly to labor. These agencies will also request management to report the time of and method used in so advising labor.

(v) When the procurement agency has advised the contractor, it will immediately inform the War Production Board that such advice has been given, and the War Production Board will notify the National Labor Unions, who will in turn advise the appropriate local unions.

(w) After the procurement agency has advised the contractor, the appropriate War Production Board field official will be advised so that he may hold appropriate meetings to estimate the total impact and to establish procedures for meeting the problems which are anticipated.

(x) Any new events bearing upon the cutback developed as a result of the advice to the contractors and workers may be brought to the attention of the Period I Adjustments Group through the appropriate channels, i. e., the Industry Division, Labor Vice Chairman, WPB Field Office, or the procurement agency, and the case reconsidered in the light of the new information.

Use of Released Facilities and Manpower

(y) Where available for military work, procedure similar to the current cutbacks will be followed.

(z) As provided in paragraph (r) above, general consultation and planning with industry by the Industry Divisions, through the Industry Advisory Committees and Labor Advisory Committees, will continue for the purpose of making all necessary plans for transition to civilian production.

Issued this 5th day of March 1945.

H. G. BATCHELLER,
Acting Chairman.

[F. R. Doc. 45-3550; Filed, Mar. 5, 1945; 12:06 p. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Supp. Order 93,[1] Amdt. 3]

ELIMINATION OF HIGHEST PRICE LINE LIMITATION FROM SPECIFIED REGULATIONS WITH RESPECT TO SELLERS OF GARMENTS AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The effective date provision of Amendment 1 to Supplementary Order 93 is amended to read as follows:

Amendment 1 shall become effective as of November 24, 1944, except that as to manufacturing-retailers subject to Maximum Price Regulation 178, Amendment 1 shall become effective as of April 1, 1945.

This amendment shall become effective as of February 28, 1945.

Issued this 1st day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3338; Filed, Mar. 1, 1945; 3:54 p. m.]

PART 1309—COPPER

[RMPR 20,[2] Amdt. 3]

COPPER SCRAP AND COPPER ALLOY SCRAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 20 is amended in the following respects:

1. Section 5 (a) (3) is amended to read as follows:

(3) Such person delivers the scrap to the foundry and the foundry returns an equivalent amount of castings or other articles of the type from which the scrap resulted in accordance with the terms of a written agreement.

This amendment shall become effective March 8, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3440; Filed, Mar. 3, 1945; 11:20 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2,[3] Amdt. 2 to Supp. 1[4]]

SALES OF GRAIN BY RETAILERS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement No. 1 to Food Products Regulation No. 2 is amended in the following respects:

1. Section 5 (a) (2) is amended to read as follows:

(2) "Store" means a building, or a separate unit in a building, where the business of buying, selling and delivering grain at retail is carried on, or where a general business, of which such retail grain business is a part, is conducted. In order to maintain its status as a store, such business shall carry a stock of grain for sale at retail, and, in addition, it may carry other stocks of merchandise.

2. Section 5 (a) (3) is amended to read as follows:

(3) "Retailer" means, with respect to any less than carload lot of grain, a person who sells and delivers such lot to a feeder from his "store."

This amendment shall become effective March 8, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

Approved: February 24, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-3441; Filed, Mar. 3, 1945; 11:20 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2,[1] Amdt. 4 to Supp. 2[2]]

OATS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement No. 2 to Food Products Regulation No. 2 is amended in the following respects:

1. Section 5 (b) (10) is amended to read as follows:

(10) "Retailer" means, with respect to any less than carload lot of oats, a person who sells and delivers such lot to a feeder from his "store".

2. Section 5 (b) (11) is amended to read as follows:

(11) "'Store" means a building, or a separate unit in a building, where the business of buying, selling and delivering grain at retail is carried on, or where a general business, of which such retail grain business is a part, is conducted. In order to maintain its status as a store, such business shall carry a stock of grain for sale at retail, and, in addition, it may carry other stocks of merchandise.

This amendment shall become effective March 8, 1945.

[1] 9 F.R. 7574, 11762, 14674.
[2] 9 F.R. 756, 4394, 5374.
[3] 9 F.R. 8364.
[4] 9 F.R. 8309.

[1] 9 F.R. 8304.
[2] 9 F.R. 8311, 10871, 11003, 13056, 13134.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

Approved: February 24, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-3442; Filed, Mar. 3, 1945; 11:20 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2,[1] Amdt. 4 to Supp. 3[2]]

BARLEY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement No. 3 to Food Products Regulation No. 2 is amended in the following respects:

1. Section 5 (b) (10) is amended to read as follows:

(10) "Retailer" means, with respect to any less than carload lot of barley, a person who sells and delivers such lot to a feeder from his "store."

2. Section 5 (b) (11) is amended to read as follows:

(11) "Store" means a building, or a separate unit in a building, where the business of buying, selling and delivering grain at retail is carried on, or where a general business, of which such retail grain business is a part, is conducted. In order to maintain its status as a store, such business shall carry a stock of grain for sale at retail, and, in addition, it may carry other stocks of merchandise.

This amendment shall become effective March 8, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

Approved: February 24, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-3443; Filed, Mar. 3, 1945; 11:20 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2,[3] Amdt. 1 to Supp. 4]

CORN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement No. 4 to Food Products Regulation No. 2 is amended in the following respects:

1. Section 5 (b) (15) is amended to read as follows:

(15) "Retailer" means, with respect to any less than carload lot of corn, a person who sells and delivers such lot to a feeder from his "store".

2. Section 5 (b) (16) is amended to read as follows:

(16) "Store" means a building, or a separate unit in a building, where the business of buying, selling and delivering grain at retail is carried on, or where a general business, of which such retail grain business is a part, is conducted. In order to maintain its status as a store, such business shall carry a stock of grain for rale at retail, and, in addition, it may carry other stocks of merchandise.

This amendment shall become effective March 8, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

Approved: February 24, 1945.

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 45-3444; Filed, Mar. 3, 1945; 11:21 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5F,[1] Amdt. 15]

MILEAGE RATIONING: GASOLINE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 5F is hereby amended in the following respects:

1. The first paragraph of section 4.2 is amended to read as follows:

SEC. 4.2 *Basic Ration Books.* Class "A" books and Class "D" books marked "Basic," shall be issued as basic rations. Class "A" books are issued for passenger automobiles and Class "D" books for motorcycles and motorscooters. Subject to the provisions of 4.3 (e), which relates to the tailoring of coupons from books issued after the beginning of the ration period, each book issued for use after the dates specified in Table I below shall originally contain 30 coupons in the case of "A" books. Each coupon in a basic ration book shall have a value of one unit. Coupons in Class "A" books shall be valid for the transfer of gasoline to a consumer only during the periods indicated in Table II below. Coupons in basic "D" books shall be valid for the transfer of gasoline to a consumer for the period designated on the cover of the book.

2. Section 4.2 is amended by changing the tables immediately following the end of the section as follows:

REISSUE DATE FOR BASIC RATIONS CONTAINING 30 COUPONS

TABLE I

Island—	Date
Kauai	March 1, 1945
Maui	April 1, 1945
Oahu	June 1, 1945
Hawaii	August 1, 1945
Molokai	December 1, 1945

VALIDITY PERIODS FOR CLASS A COUPONS

TABLE II

Island	Month and year																		
	Mar. 1945	Apr. 1946	May 1945	June 1945	July 1945	Aug. 1945	Sept. 1945	Oct. 1945	Nov. 1945	Dec. 1946	Jan. 1946	Feb. 1946	Mar. 1946	Apr. 1946	May 1946	June 1946	July 1946	Aug. 1946	Sept. 1946
Kauai	13	13	13	14	14	14	15	15	15	16	16	16	17	17	17	18	18	18	----
Maui	12	13	13	13	14	14	14	15	15	15	16	16	16	17	17	17	18	18	18
Oahu	11	12	12	13	13	13	14	14	14	15	15	15	16	16	16	17	17	17	18
Hawaii	10	11	11	12	12	13	13	13	14	14	14	15	15	15	16	16	16	17	17
Molokai	8	9	9	10	10	11	11	12	12	13	13	13	14	14	14	15	15	15	16

3. Section 4.3 (c) is amended to read as follows:

(c) Each applicant for a basic ration shall state on his application the speedometer reading of his vehicle as of the date of application.

4. Section 4.3 (d) is revoked.

5. Section 4.3 (e) is amended to read as follows:

(e) A board or an issuing agent shall remove from any class "A" book which it issues on Form OPA R-525B, all expired coupons and one currently valid coupon for each full eight days which have elapsed in the valid period during which the book is issued. A board or issuing agent shall remove from any class "A" book which it issues on Form OPA R-525C, all expired and one currently valid coupon for each full 16 days which have elapsed in the valid period during which the book is issued.

6. Section 16.4 (a) is amended to read as follows:

(a) Two and five-tenths (2.5) gallons of gasoline with respect to class "A" book coupons issued on Form OPA R-525B. Five (5) gallons of gasoline with respect to class "A" books issued on Form OPA R-525C.

This amendment shall become effective March 1, 1945.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget as required by the Federal Reports Act of 1942.

Issued this 3d day of March 1945.

GERALD A. BARRETT,
Territorial Director,
Territory of Hawaii.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-3447; Filed, Mar. 3, 1945; 11:22 a. m.]

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[1] 9 F.R. 8304.
[2] 9 F.R. 9091, 11003, 12359, 13057.
[3] 9 F.R. 8304.

[1] 8 F.R. 10742, 10757, 13125, 14155, 15985; 9 F.R. 2746, 3513, 4433, 4611, 4779, 5736, 6111.

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Rev. RO 11,[1] Amdt. 49]

FUEL OIL

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised Ration Order 11 is amended in the following respects:

1. Section 1394.5158 (b) is amended to read as follows:

(b) *Exceptions.* The restriction in paragraph (a) shall not apply if any of the following conditions is present:

(1) *Standby facility inadequate.* The standby facility is not adequate for the purpose for which the ration is sought. In such case, the allowable ration shall be reduced by the amount that can be saved by the use of the standby facility operated at maximum capacity. (The unavailability of an alternate fuel or labor may not be considered under this subparagraph.)

(2) *Standby facility; emergency use of fuel oil equipment.* Application is made pursuant to § 1394.5409 for a ration for the use of the fuel oil burning equipment in anticipation of the happening of an event which would render the standby facility unserviceable (as, for example, a breakdown of the standby facility). (The unavailability of an alternate fuel or labor may not be considered under this subparagraph.)

(3) *PAW exceptions.* The Petroleum Administration for War has granted the applicant a currently valid exception under Petroleum Distribution Order No. 13, as amended, with respect to the specific restriction. In such case, the ration shall be issued (pursuant to the applicable provisions of this order) only for the period and in the amount specified in the exception granted by the Petroleum Administration for War. If the exception limits the applicant to the use of a specified grade of fuel oil, the ration issued may not be used to acquire or consume any grade of fuel oil other than that specified.

2. Section 1394.5409 is added as follows:

§ 1394.5409 *Emergency use of industrial equipment.* (a) A ration may be issued for the operation of fuel oil burning equipment performing an industrial process, in anticipation of the happening of an event which would render unserviceable the standby facility normally performing such process. (The unavailability of an alternate fuel or labor does not within the meaning of this section render unserviceable a standby facility.)

(b) Application must be made on OPA Form R–1102 (Revised), by the person controlling the use of the fuel oil burning equipment, or by his agent.

(c) The allowable ration shall be the amount of fuel oil requested for the purpose, but shall not exceed the applicant's normal requirements for operating the fuel oil burning equipment for a period of ten (10) days.

(d) The Board shall deduct from the allowable ration the amount of fuel oil, ration evidences and ration credits on hand for the purpose for which the ration is required. The ration shall then be issued in Class 3 coupon sheets except that if the amount of fuel oil that the applicant may acquire during the period for which the ration is issued is 5,000 gallons or more, a ration check will be issued instead of coupon sheets at the request of the applicant. However, if a ration check evidenced the previous ration for the purpose, a ration check only will be issued.

(e) The ration need not be renewed unless the consumer wishes to replace any of the fuel oil consumed by him during the time the standby facility was not in serviceable operating condition. In that case, he must apply for a renewal of the ration in the same manner as an original application. All the provisions of this section applicable to the determination and issuance of an original ration shall apply to the determination and issuance of the renewed ration.

(f) Any ration issued pursuant to this section may not be used to consume any fuel oil other than for the purpose of operating the fuel oil burning equipment specified in paragraph (a) of this section during the time that the standby facility is not in serviceable operating condition.

(g) Nothing in this section shall be construed as a waiver of the restriction against the issuance and use of a ration for a new or reinstalled facility.

This amendment shall become effective on March 7, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3445; Filed, Mar. 3, 1945; 11:21 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 31 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESES

Section 1407.3027 (e) (17) is added to read as follows:

(17) E2, F2, G2, H2, J2..... From March 4, 1945, to June 30, 1945, inclusive

This amendment shall become effective at 12:01 a. m. March 4, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3446; Filed, Mar. 3, 1945; 11:21 a. m.]

[1] 9 F.R. 2357.

[1] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10425, 10875, 10876, 10777, 11426, 11513, 11906, 11955, 11961, 12814, 12867.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMPR 148,[1] Amdt. 21]

DRESSED HOGS AND WHOLESALE PORK CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 148 is amended in the following respects:

1. Schedule I (h) of § 1364.35 is amended by changing items 20 through 33 under the subhead "Canned pork items" to read as follows:

Canned pork items	Size of can	Price per 100 pounds
20. Spiced luncheon meat:		
Cylindrical cans	12 oz.	$33.75
Rectangular cans	12 oz.	34.25
	2½ lbs.	32.25
	6 lbs.	32.00
21. Spiced ham:		
Cylindrical cans	12 oz.	34.25
Rectangular cans	12 oz.	34.75
	2½ lbs.	32.75
	6 lbs.	32.50
22. Pork sausage	1½ lbs.	25.50
23. Pork sausage links, S. C.	2 lbs.	35.75
H. C.	2 lbs.	32.50
24. Pork sausage soya links	1½ or 2 lbs.	24.50
25. Corned pork	12 oz.	54.50
	6 lbs.	52.75
26. Sliced bacon (F. D. A. specifications).	1½ lbs.	29.25
	7 lbs.	29.00
Sliced bacon (C. Q. D. 155A specifications).	1½ lbs.	32.00
	7 lbs.	31.75
27. Dry salt bacon	12 lbs.	25.25
	14 lbs.	25.00
28. Pork tongues	12 oz.	35.25
	6 lbs.	33.25
	2½ lbs.	33.75
29. Pork soya segments	1½ or 2 lbs.	23.00
30. Cvinaya tushonka	11½ oz.	40.75
	15½ oz.	40.00
	28 oz.	39.25
	36 oz.	38.75
31. Pork and gravy:		
Braised	30 oz.	40.25
Unbraised	30 oz.	35.25
32. Pork sausage meat (C. Q. D. 98A specifications).	34 oz.	32.50
33. Sliced bacon (Type II, C. Q. D. 33D specifications).	5 or 5½ lbs.	29.25
	7½ lbs.	29.00
	14 or 16 lbs.	28.75

2. Paragraph (c) of Schedule II in § 1364.35 is amended to read as follows:

(c) For all wholesale pork cuts delivered in a straight or mixed shipment containing 500 pounds or more of wholesale pork cuts, $0.25 per cwt.

3. Paragraph (d) of Schedule II in § 1364.35 is deleted, and paragraphs (e), (f), (g), (h), and (i) of Schedule II of § 1364.35 are redesignated paragraphs (d), (e), (f), (g), and (h) respectively.

4. Paragraph (e) to Schedule III of § 1364.35 is amended to read as follows:

(e) For all wholesale pork cuts sold to a purveyor of meals other than a ship operator as defined in § 1364.452 (o) (9) of Revised Maximum Price Regulation No. 169 and otherwise than by peddler truck sale, $2.00 per hundredweight.

5. Paragraph (h) to Schedule III of § 1364.35 is amended to read as follows:

(h) For freezing, in the seller's plant and not in a commercial warehouse, dressed hogs or wholesale pork cuts sold

[1] 9 F.R. 1996, 3083, 4099, 11076; 10 F.R. 703, 2095.

by the seller to war procurement agencies or to licensed ship suppliers (as defined in § 1364.452 (o) (9) of Revised Maximum Price Regulation No. 169) who are not slaughterers, packers or packers branch houses, $0.10 per hundredweight.

6. Paragraph (i) to Schedule III of § 1364.35 is added to read as follows:

(i) For all wholesale pork cuts sold to a ship operator (as defined in § 1364.452 (o) (9) of Revised Maximum Price Regulation No. 169) by a licensed ship supplier (as defined in § 1364.452 (o) (9) of Revised Maximum Price Regulation No. 169), $1.50 per hundredweight.

7. Subparagraph (3) of § 1364.26 (a) is amended by changing the portion preceding subdivision (i) to read as follows:

(3) A payment by a war procurement agency or a licensed ship supplier (as defined in § 1364.452 (o) (9) of Revised Maximum Price Regulation No. 169) who is not a slaughterer, packer or packer's branch house, to a seller.

This amendment shall become effective March 3, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3482; Filed, Mar. 3, 1945; 3:00 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[1] Amdt. 91]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 2 is amended by adding an undesignated paragraph, to read as follows:

However, if the imported produce being priced was imported before February 14, 1945 the maximum price per unit at any wholesale receiving point shall be the maximum price for sales delivered at that wholesale receiving point for the most closely similar variety of the same kind of domestic produce applicable to the particular seller.

This amendment shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

Approved March 1, 1945.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 45-3483; Filed, Mar. 3, 1945; 3:00 p. m.]

[1] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10192, 10499, 10877, 10777, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14731, 15107, 15107; 10 F.R. 49, 256, 460, 923, 1540, 1403, 1456, 1910.

PART 1305—ADMINISTRATION

[Gen. RO 5,[1] Amdt. 99]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 9.9 is added to read as follows:

SEC. 9.9 *Recapture of surplus inventory, ration evidences and bank balances*—(a) *Sugar.* The Board shall, between March 6, 1945 and May 1, 1945, for each institutional user (other than a Group I user), compare the total for sugar of items (1) to (4), inclusive, less item (5), reported under section 18.4 (a) with the sum of the following:

(1) The combined meal service and refreshment allotments for sugar for the January-February 1945 allotment period as computed prior to the reduction under section 5.8;

(2) The reserve allotment for that food;

(3) The amount of excess inventory, if any, charged against him for that food as of January 1, 1945;

If the total of items (1) to (4), inclusive, less item (5) reported under section 18.4 (a) exceeds the total of items (1) to (3), inclusive, listed in this paragraph, the difference shall be charged as excess inventory, in addition to any excess inventory already charged against him.

(b) *Processed foods.* The Board shall, between March 6, 1945 and May 1, 1945, for each institutional user (other than a Group I user), compare the total for processed foods of items (1) to (4), inclusive, less item (5), reported under section 18.4 (a) plus the amount reported under section 18.6 (a), with the sum of the following:

(1) The combined meal service and refreshment allotments for processed foods for the January-February 1945 allotment period;

(2) The reserve allotment for those foods;

(3) The amount of excess inventory, if any, charged against him for those foods as of January 1, 1945.

If the total of items (1) to (4), inclusive, less item (5), reported under section 18.4 (a) plus the amount reported under section 18.6 (a) exceeds the total of items (1) to (3), inclusive, listed in this paragraph, the difference shall be charged as excess inventory, in addition to any excess inventory already charged against him.

(c) *Foods covered by Revised Ration Order 16.* (1) The Board shall between March 6, 1945 and May 1, 1945, for each institutional user (other than a Group I user), compare the total for foods covered by Revised Ration Order 16 of items (1) to (4), inclusive, less item (5), reported under section 18.4 (a) plus the amount reported under section 18.5 (a) with the sum of the following:

[1] 8 F.R. 10002, 11479, 11480, 11676, 12403, 12483, 12744, 14472, 15488, 16787, 17485; 9 F.R. 401, 455, 692, 1810, 2212, 2252, 2287, 2476, 2789, 3030, 3075, 3340, 3577, 3704, 4196, 4393, 4647, 4873, 5041, 5232, 5684, 5826, 5919, 6108, 6504, 6628, 7167, 7260, 7703, 7770, 8242, 8813, 9952, 10069, 10578, 12121, 12449, 12919.

(i) Fifty percent (50%) of the combined meal service and refreshment allotments for foods covered by Revised Ration Order 16 for the January-February 1945 allotment period as computed prior to the reduction under section 5.7;

(ii) The reserve allotment for those foods;

(iii) The amount of excess inventory, if any, charged against him for those foods as of January 1, 1945.

(2) If the total of items (1) to (4), inclusive, less item (5), reported under section 18.4 (a), plus the amount reported under section 18.5 (a), exceeds the total of items (i) to (iii), inclusive, listed in this paragraph, the difference shall be charged as excess inventory, in addition to any excess inventory already charged against him.

(3) If the total of items (1) to (4), inclusive, less item (5) reported under section 18.4 (a), plus the amount reported under section 18.5 (a), is less than ten percent (10%) of his combined meal service and refreshment allotments for the January-February 1945 allotment period for those foods as computed prior to the reduction under section 5.7, the Board shall issue to him a check (or reduce existing excess inventory) in an amount equal to the difference.

NOTE: For the purpose of making the computation required by this section, include item 2 reported under section 18.4 (a), only if that item represents a credit balance.

This amendment shall become effective March 6, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3530; Filed, Mar. 5; 1945; 11:26 a. m.]

PART 1314—RAW MATERIALS FOR SHOES AND OTHER LEATHER PRODUCTS

[MPR 145,[1] Amdt. 10]

PICKLED SHEEPSKINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 145 is amended in the following respects:

1. In § 1314.165 (a) the following heading, brands and prices are added after the items listed under the heading "Anglo Uruguayan (Frigorifico)":

ANGLO URUGUAYAN (CONSUMO)

Sheep:	
Extra Super Heavy	$10.50
Super Heavy	10.00
First Heavy	9.00
Second Heavy	8.00
Super Light	9.50
First Light	8.50
Second Light	7.25
Rib	6.75
Third	6.00
Fourth	4.50
Fifth	3.50
Second Rib	4.75

[1] 7 F.R. 3746, 3889, 5771, 5835, 8948, 11074; 8 F.R. 5724; 9 F.R. 1595, 7936; 10 F.R. 158.

ANGLO URUGUAYAN (CONSUMO)—continued

Lambs (Regular):	
Super Large	$8.00
First Large	7.50
Second Large	6.50
First Small	6.50
Second Small	5.75
Rib	5.50
Third	4.00
Fourth	3.50
Fifth	2.75
Second Rib	3.50
Spring Lambs:	
First	5.00
Second	4.50
Third	3.25
Small	2.75
Second Small	2.00

2. In § 1314.165 (a) the brands and prices set forth under the subheading "Regular Lambs", main heading "Anglo Uruguayan (Frigorifico)" are amended to read as follows:

Brand:	*Maximum price*
XXXX	$8.50
XXXX M	8.00
XXX M	7.125
XX	7.125
XX M	6.75
FL	5.875
RL	5.875
SLL	5.00
SRL	4.25

3. In § 1314.165 (a) the following brand and price is added immediately preceding the items under the subheading "Spring Lambs", main heading "Anglo Uruguayan (Frigorifico)":

Brand:	*Maximum price*
X	$6.75

This amendment shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3528; Filed, Mar. 5, 1945; 11:29 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RPS 87, Amdt. 12]

SCRAP RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Price Schedule 87 is amended in the following respects:

1. The table of contents is amended in the following respects:

a. The following line is deleted:

§ 1315.1251 *Maximum prices for scrap rubber.*

And in lieu thereof, the following is inserted:

§ 1315.1251 *Applicability of this schedule.*

b. The following item is deleted:

§ 1315.1263 *Appendix A: Maximum prices for scrap rubber.*

And in lieu thereof, the following line is inserted:

§ 1315.1263 *Appendix A: Maximum prices for sales to consumers.*

c. The following new line is added:

§ 1315.1264 *Appendix B: Maximum prices for certain sales to persons other than consumers.*

2. Section 1315.1251 is amended to read as follows:

§ 1315.1251 *Applicability of this schedule.* (a) This schedule covers all sales of scrap rubber to consumers. The maximum prices on such sales are set forth in Appendix A of this schedule (§ 1315.1263).

(b) This schedule covers all sales of (1) scrap whole pneumatic tire casings and (2) miscellaneous scrap rubber that contains any scrap whole pneumatic tire casings, to persons that are not consumers. The maximum prices on such sales are set forth in Appendix B of this schedule (§ 1315.1264).

(c) This schedule does not cover sales of rubber articles or materials which are acquired for the purpose of repairing or reconditioning them, or of reselling them to be repaired or reconditioned, to make them usable for their original purpose. However, if such articles or materials are sold mixed with scrap rubber covered by this schedule, such sales shall be considered sales of scrap rubber covered by this schedule unless the articles or materials are segregated from the scrap.

3. Section 1315.1255 is amended to read as follows:

§ 1315.1255 *Prohibition against dealing in scrap rubber at prices above the maximum.* (a) On and after June 26, 1942, no consumer shall buy or receive in the course of trade or business, and no person shall sell or deliver any scrap rubber to such consumer at a price higher than the maximum price fixed by this schedule, regardless of any contract or other obligation.

(b) On and after March 10, 1945, no person shall buy or receive in the course of trade or business, and no person shall sell or deliver any scrap whole pneumatic tire casings at a price higher than the maximum price fixed by this schedule, regardless of any contract or other obligation.

(c) No person shall agree, offer, or solicit, or attempt to do any of the foregoing.

(d) Lower prices may, of course, be charged.

4. Section 1315.1258 is amended to read as follows:

§ 1315.1258 *Reports.* Every person making sales or purchases of scrap rubber subject to this schedule, in excess of 500 pounds per month, shall keep for inspection by the Office of Price Administration so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of each such purchase and sale, showing the date, the name and address of the buyer and seller, the quantity of each grade of scrap rubber bought and sold, and the price.

5. Paragraph (a) (3) of § 1315.1261 is amended by adding thereto the following: "*Provided, however,* That a person shall not be deemed to be a consumer with respect to any scrap rubber articles or materials acquired by him solely for the purpose of resale."

6. The heading of § 1315.1263 is amended to read as follows:

§ 1315.1263 *Appendix A: Maximum prices for sales to consumers.*

7. A new section is added to read as follows:

§ 1315.1264. *Appendix B: Maximum prices for certain sales to persons other than consumers.* This section establishes maximum prices for scrap rubber consisting wholly or partly of scrap whole pneumatic tire casings when sold to persons other than consumers. Paragraph (a) sets forth prices on a delivered basis. Paragraph (b) sets forth the manner of determining shipping point prices.

(a) The maximum delivered prices for the classes of scrap rubber referred to in the preceding paragraph of this section are set forth in subparagraphs (1), (2), and (3) below. "Delivered" means delivered to a yard, warehouse or other regular place of business of the buyer or of a person repurchasing from the buyer. The maximum delivered prices set forth below apply regardless of the place from which the scrap rubber may have been shipped or where the actual sale may have been made:

(1) The maximum prices for scrap whole pneumatic tire casings listed in Table I below for each consuming center are applicable to every sale of such scrap delivered to such consuming center.

TABLE I

[Dollars per short ton]

Kind of scrap rubber	Maximum prices at consuming centers						
	Akron, Ohio	Buffalo, New York	Naugatuck, Conn.	East St. Louis, Ill.	Memphis, Tenn.	Gadsden, Ala.	Los Angeles, Calif.
Whole pneumatic tire casings	$20.00	$19.50	$18.50	$18.40	$17.50	$16.00	$14.00

(2) The maximum prices for sales of scrap whole pneumatic tire casings delivered to a place other than one of the consuming centers listed in Table I above shall be the price set forth for the consuming center to which the freight charge from such place of delivery is lowest.

(3) The maximum price for miscellaneous scrap rubber containing some scrap whole pneumatic tire casings shall be $15 per short ton regardless of the location of the place to which delivered.

(b) If the scrap rubber covered by this section is not delivered to the yard, warehouse or other regular place of business

of a buyer or of a person repurchasing from a buyer, the maximum price for such scrap rubber shall be the delivered maximum price specified in paragraph (a) of this section, less the lowest applicable published charges for transportation by rail, water or truck carrier to the yard, warehouse or other regular place of business of the buyer or of a person repurchasing from the buyer to which the shipment is made. If no such charges are published, the direct costs actually involved in transporting the scrap rubber to such location shall be used.

This amendment shall become effective March 10, 1945.

NOTE: All record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3522; Filed, Mar. 5, 1945; 11:30 a. m.]

PART 1340—FUEL

[MPR 88, Corr. to Amdt. 25 [1]]

FUEL OIL, GASOLINE AND LIQUEFIED PETROLEUM GAS

Amendment No. 25 to Maximum Price Regulation No. 88 is corrected in the following respects:

1. Section 2.34 (a) (2), as added by item 12 of the above amendment, is corrected by inserting the phrase ", except tank car purchasers," between the words "consumers" and "for."

2. The last item in the amendment is renumbered item "22" and the introductory clause of such item is corrected to read as follows:

22. Section 6.5 (a) (1) and the heading of section 6.5 are amended to read as follows:

This correction shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3524; Filed, Mar. 5, 1945; 11:29 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 2,[2] Amdt. 4]

GENERAL PRICING PROVISIONS FOR CERTAIN GRAINS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 2.5 of Food Products Regulation No. 2 is amended by adding the following sentence at the end of the first paragraph: "The minimum tests set forth above in this paragraph shall not apply to Commodity Credit Corporation, which shall be entitled to the additional markups provided in this section if it meets the requirements set forth in paragraphs (a) and (b) hereof."

This amendment shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

Approved February 23, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-3532; Filed, Mar. 5, 1945; 11:30 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3,[1] Amdt. 1]

GENERAL PRICING PROVISIONS FOR CERTAIN FEEDS AND FEED INGREDIENTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 3.6 of Food Products Regulation No. 3 is amended to read as follows:

SEC. 3.6 *Increases for sacks.* If you furnish the sacks in connection with the sale and delivery of any sacked quantity of a commodity, you shall use one of the following methods of computing your markup for such sacks:

(a) A flat markup of $3.25 per ton for textile sacks; or

(b) (1) You may use as a markup for shipments in textile sacks during any calendar month the weighted average per sack price of all the textile sacks received into your plant during the preceding calendar month on the basis of their maximum price to you.

(2) You may use as a markup for shipments in any other kind of sacks during any calendar month the weighted average per sack price of all other kinds of sacks received into your plant during the preceding calendar month on the basis of their maximum price to you.

If you have not received any sacks of the kind for which you desire to establish a markup under subparagraphs (1) and (2) during the preceding month, you shall continue to use your last previous markup for such kind of sack until such time as you are able to determine a new markup under the applicable subparagraph.

(3) If you are unable to determine a markup for your sacks under the foregoing provisions of this section, you may add to your maximum price the reasonable market value, not to exceed the lawful maximum price, of the sacks at the time of shipment of the commodity.

This amendment shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3533; Filed, Mar. 5, 1945; 11:29 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3,[1] Amdt. 2 to Supp. 6]

ALFALFA HAY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 11 of Supplement No. 6 to Food Products Regulation No. 3 is amended to read as follows:

SEC. 11. *Increases for sacks.* If you furnish the sacks in connection with the sale and delivery of any sacked quantity of a commodity, you shall use one of the following methods of computing your markup for such sacks:

(a) A flat markup of $4.25 per ton for textile sacks; or

(b) (1) You may use as a markup for shipments in textile sacks during any calendar month the weighted average per sack price of all the textile sacks received into your plant during the preceding calendar month on the basis of their maximum price to you.

(2) You may use as a markup for shipments in any other kind of sacks during any calendar month the weighted average per sack price of all other kinds of sacks received into your plant during the preceding calendar month on the basis of their maximum price to you.

If you have not received any sacks of the kind for which you desire to establish a markup under subparagraphs (1) and (2) during the preceding month, you shall continue to use your last previous markup for such kind of sack until such time as you are able to determine a new markup under the applicable subparagraph.

(3) If you are unable to determine a markup for your sacks under the foregoing provisions of this section, you may add to your maximum price the reasonable market value, not to exceed the lawful maximum price, of the sacks at the time of shipment of the commodity.

This amendment shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3534; Filed, Mar. 5, 1945; 11:29 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 552, Amdt. 2]

PET FOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 552 is amended in the following respects:

1. Section 9 (b) is amended to read as follows:

(b) If you so elect, your maximum price on the particular type and kind of sale as recalculated under section 12

[1] 10 F.R. 2080.

[2] 9 F.R. 8304; 10 F.R. 702, 703.

[1] 9 F.R. 11504.

[1] 9 F.R. 11504.

hereof: *Provided*, That you make such recalculation with respect to that type and kind of sale on or before the 9th day of April 1945.

2. The second paragraph of section 11 (a) is amended to read as follows:

However, if you so elect, you may recalculate your maximum price on any such sale in the manner provided for the recalculation of your maximum prices as set forth in section 12 hereof: *Provided*, That you make such recalculation on or before the 9th day of April 1945.

3. The first paragraphs of sections 12 (a) and 12 (b) are amended to read as follows:

SEC. 12. *Recalculation of processor's maximum prices.* (a) If you are a processor of dry pet foods, you may recalculate your maximum prices on each type and kind of sale you make to retailers or private brand dealers on or before the 9th day of April 1945, by adding:

(b) If you are a processor of moist or frozen pet foods, and you elect to recalculate your maximum price, you shall file a verified application[1] for the establishment of a new maximum margin on each type and kind of sale you make on or before the 9th day of April 1945, with the Office of Price Administration at Washington, D. C. The application shall set forth:

This amendment shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3526; Filed, Mar. 5, 1945; 11:28 a. m.]

PART 1382—HARDWOOD LUMBER

[MPR 155,[1] Amdt. 15]

CENTRAL HARDWOOD LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 155 is amended in the following respects:

1. In § 1382.58 (a), subparagraph (3) (ii) is amended to read as follows:

(ii) Processed into lumber at mills located within the North Central hardwoods area.

The "North Central hardwoods area" includes all of the States of Ohio, Indiana, Iowa, Nebraska, and South Dakota; the counties of Adair, Anderson, Barren, Bath, Boone, Bourbon, Boyle, Bracken, Breckinridge, Bullitt, Campbell, Carroll, Casey, Clark, Cumberland, Daviess, Edmonson, Fayette, Fleming, Franklin, Gallatin, Garrard, Grant, Grayson, Green, Greenup, Hancock, Hardin, Harrison, Hart, Henry, Jefferson, Jessamine, Kenton, Larue, Lewis, Lincoln, Madison, Marion, Mason, Meade, Mercer, Metcalfe, Monroe, Montgomery, Nelson, Nicholas, Ohio, Oldham, Owen, Pendleton, Robertson, Russell, Scott, Shelby, Spencer, Taylor, Trimble, Washington and Woodford, all in the State of Kentucky; and all of the State of Illinois except the counties of Alexander, Franklin, Hardin, Jackson, Johnson, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Union, and Williamson, and those parts of Hamilton, Jefferson, Saline, St. Clair, Clinton and Washington counties which lie south or southwest of the tracks of the Louisville and Nashville Railroad.

2. In § 1382.58, (a) subparagraph (4) (ii) is amended to read as follows:

(ii) Processed into lumber at mills located within the South Central hardwoods area.

The "South Central hardwoods area" includes all of the States of Kansas and Missouri; the counties of Allen, Ballard, Butler, Caldwell, Calloway, Carlisle, Christian, Crittenden, Fulton, Graves, Henderson, Hickman, Hopkins, Livingston, Logan, Lyon, McCracken, McLean, Marshall, Muhlenberg, Simpson, Todd, Trigg, Union, Warren, and Webster, all in the State of Kentucky; and the counties of Bedford, Benton, Bledsoe, Cannon, Carroll, Cheatham, Chester, Clay, Coffee, Crockett, Cumberland, Davidson, Decatur, De Kalb, Dickson, Dyer, Franklin, Gibson, Giles, Grundy, Hardin, Henderson, Henry, Hickman, Houston, Humphreys, Jackson, Lake, Lawrence, Lewis, Lincoln, McNairy, Macon, Madison, Marion, Marshall, Maury, Montgomery, Moore, Obion, Overton, Perry, Putnam, Robertson, Rutherford, Sequatchie, Smith, Stewart, Sumner, Trousdale, Van Buren, Warren, Wayne, Weakley, White, Williamson, and Wilson, all in the State of Tennessee; and the counties of Alexander, Franklin, Hardin, Jackson, Johnson, Massac, Monroe, Perry, Pope, Pulaski, Randolph, Union, and Williamson, and those parts of Hamilton, Jefferson, Saline, St. Clair, Clinton, and Washington counties which lie south or southwest of the tracks of the Louisville and Nashville Railroad, all in the State of Illinois.

This amendment shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3525; Filed, Mar. 5, 1945; 11:28 a. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 178]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Ration Order 5C is amended in the following respects:

1. Section 1394.7551 (a) (26) is amended to read as follows:

(26) "Occupation" means business; gainful work; pursuit of a course of study in an elementary school, high school, college, university or vocational school; and uncompensated work regularly performed which falls within any of the following categories:

(i) Work regularly performed under the authority and supervision of a bona fide non-profit agency which performs one or more of the following activities (provided that such work is necessary to the carrying out of such activities); investigation of the necessity for relief or administration of relief; arranging for the placement of minors or aged, handicapped or indigent persons in foster homes or in institutions, and for the inspection of such foster homes or institutions; investigation of reported abuse, neglect, or in delinquency of minors; or transportation of minors or aged, handicapped or indigent persons to foster homes or institutions or for the transportation of persons to hospitals or clinics for treatment or diagnosis;

(ii) Work which is regularly performed under the direction of a government or governmental agency and which contributes to the war effort or the general welfare;

(iii) Work which is regularly performed under the direction of a non-profit organization and which either contributes to the general welfare by aiding members or discharged members of the Armed Forces or their families, or the families of deceased members of the Armed Forces, or contributes directly to the war effort;

(iv) Work performed by a minister who is regularly serving a congregation in meeting the religious needs of the locality which he regularly serves; and

(v) Work regularly performed by a representative of government, management or labor for recruiting or training workers or for travel to maintain peaceful industrial relations.

2. Section 1394.7551 (a) (29) is amended by inserting before the word "tires" the words "gasoline and".

3. Section 1394.7706 (c) is amended to read as follows:

(c) By a person for regularly transporting four or more pupils, students, teachers or school employees to or from an elementary school, high school, college, university or vocational school, or by an employee of a day nursery or pre-school nursery for transporting four or more children to and from such day nursery or pre-school nursery, provided that alternative means of transportation are not adequate.

4. Section 1394.7706 (x) (9) is amended by substituting for the expression "liaison training officer" the expression "Certifying Officer".

5. Section 1394.7851 (b) (2) (xii) is added to read as follows:

(xii) To operate such vehicle (not including a vehicle operated on behalf of a day nursery or pre-school nursery) for the purpose of transporting one or more children to and from a day nursery or pre-school nursery. No ration shall be issued under this subdivision which will allow an average mileage in excess of the maximum set forth below:

(*a*) If application is made in Area A, the maximum mileage is 400 miles per month;

[1] 8 F.R. 18007, 14343, 15430, 16740, 17414; 9 F.R. 1454.

(b) If application is made in Area B, the maximum mileage is 475 miles per month; and

(c) If application is made in the gasoline shortage area, the maximum mileage is 325 miles per month.

6. Section 1394.7851 (c) (4) is amended by substituting for the expression "(b) (2) (i), (ii), (iii), (v), (vi), (x) or (xi)" the expression "(b) (2) (i), (ii), (iii), (v), (vi), (x), (xi) or (xii)".

This amendment shall become effective March 9, 1945.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421, and 507, 77th Cong.; WPB Dir. No. 1 Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3529; Filed, Mar. 5, 1945; 11:27 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 16,[1] Amdt. 33 to 2d Rev. Supp. 1]

MEAT, FATS, FISH AND CHEESE

Section 1407.3027 (a) is amended to read as follows:

(a) Foods covered by Revised Ration Order 16 shall have the point values set forth in the Official Tables of Consumer and Trade Point Values (OPA Form R-1313) No. 23, and in the Official Table of Consumer Point Values for Kosher Meats (OPA Form R-1611) No. 23, which are made a part hereof.

This amendment shall become effective 12:01 a. m., March 4, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3481; Filed, Mar. 3, 1945; 3:02 p. m.]

[1] 9 F.R. 6772, 6825, 7262, 7438, 8147, 8931, 9266, 9278, 9785, 9896, 10425, 10875, 10876, 10777, 11426, 11513, 11906, 11955, 11961, 12814, 12867, 14287, 14645, 15056; 10 F.R. 48, 521, 857, 293, 294.

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 132]

FISH AND SEAFOOD IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 373 is amended in the following respects:

1. Section 20a is amended to read as follows:

SEC. 20a. *Maximum prices for sales at wholesale and retail of imported fish and seafood*—(a) *What this section does.* This section covers sales at wholesale and sales at retail of imported fish and seafood in the Territory of Hawaii. In paragraph (b) below, dollars and cents maximum prices at both wholesale and retail are established for most of the various species of salt water fish, shell fish, and mollusks imported into the Territory. This paragraph also indicates the procedure for determining the maximum prices for any other species of fish and seafood which may be imported.

(b) *Maximum wholesale and retail prices for imported fish and seafood.* (1) Maximum prices for sales at wholesale and retail for imported fish and seafood in the Territory of Hawaii, shall be as follows:

FISH AND SEAFOOD

Name and description	Style of processing	Size	Wholesale maximum price per pound net weight	Retail maximum price per pound net weight
Albacore	Round	All	$0.38	$0.50
Albacore	Steak	All		.78
Bonita	Round	All	.20	.27
Bonita	Steak	All	.35	.42
Butterfish	Round	All	.30	.40
Cod (Black)	Dressed	All	.30	.40
Cod (Black)	Fillets	All	.50	.60
Cod (Black)	Steaks	All	.37	.45
Cod (Eastern)	Fillets	All	.41	.55
Cod (Kippered)			.65	.85
Crab Meat			1.08	1.30
Halibut	Dressed	10 to 60 lbs	.38	.50
Halibut	Dressed	Under 10 over 60	.35	.47
Halibut	Steaks	All	.48	.60
Herring (Sea)	Round	All	.13	.17
Haddock	Fillets	All	.44	.58
Mackerel	Round	All	.24	.31
Mackerel	Fillets	All	.36	.48
Mullet (Pacific)	Round	Over 2 lbs	.33	.43
Mullet (Gulf or East Coast)	Round	All	.24	.31
Mullet (Pacific)	Steaks	All		.60
Oysters (Eastern Standards)		All	.67	.89
Oysters (Eastern Selects)		All	.71	.95
Oysters (Pacific Coast)		½-⅝-1 gal	.70	.88
Oysters (Pacific Coast)		Pints and quarts	.75	.95
Perch (Pacific)	Round	All	.27	.35
Pollock	Fillets	All	.32	.43
Porgy	Round	All	.23[2]	.30
Red Snapper	Dressed	All	.46	.62
Red Snapper	Cleaned	All	.38	.50
Red Rock Cod	Fillets	All	.42	.57
Rosefish	Fillets	All	.44	.58
Salmon (Pacific Silver)	Dressed	All	.38	.50
Salmon (Pacific Silver)	Steak	All	.47	.60
Salmon (Pacific Fall)	Dressed	All	.31	.41
Salmon (Pacific Fall)	Steak	All	.39	.48
Salmon (Pacific King)	Dressed	12¾ lbs. and up	.47	.62
Salmon (Pacific King)	Dressed	Under 12¾ lbs	.42	.57
Salmon (Pacific King)	Steak	All	.55	.69
Salted Fish or Dry Salted Fish (not including Mild Cured Fish).		All	[3]	[3]
Sardines (California)			.18	.25
Sea Bass	Dressed	All	.40	.53
Sea Bass	Steak	All		.63
Sole or Flounder	Fillets	All	.47	.63
Smelts		All	.21	.29
Squid (Pacific)		All	.22	.30
Whiting	Skinned or fillets	All	.33	.44

[1] 20% over landed cost. Net cost is the amount you paid your supplier after deducting all discounts and allowances except discounts for prompt payment not exceeding 2%.

[2] 40% over net cost. Net cost is the amount you paid your supplier after deducting all discounts and allowances except discounts for prompt payment not exceeding 2%.

SHRIMP AND PRAWN

Style of processing	Size (Count)	Wholesale maximum price per pound net weight	Retail maximum price per pound net weight
Head on	Under 9	$0.38	$0.48
Head on	9 to 12	.36	.45
Head on	12 to 15	.33	.41
Head on	15 to 18	.30	.38
Head on	18 to 26	.28	.35
Head on	26 to 40	.26	.33
Head on	40 and over	.24	.30
Headless	Under 15	.60	.75
Headless	15 to 21	.54	.67
Headless	21 to 26	.49	.61
Headless	26 to 31	.44	.55
Headless	31 to 43	.41	.51
Headless	43 to 66	.38	.48
Headless	66 and over	.35	.44
Peeled	Under 18	.71	.89
Peeled	18 to 26	.65	.81
Peeled	26 to 32	.58	.73
Peeled	32 to 38	.53	.66
Peeled	38 to 52	.49	.61
Peeled	52 to 81	.45	.56
Peeled	81 and over	.41	.51
Peeled and veined	Under 20	.81	1.00
Peeled and veined	20 to 28	.72	.90
Peeled and veined	28 to 34	.66	.82
Peeled and veined	34 to 41	.60	.75
Peeled and veined	41 to 57	.56	.70
Peeled and veined	57 to 87	.51	.64
Peeled and veined	87 and over	.47	.59
Headless and veined.	Under 16	.65	.80
Headless and veined.	16 to 22	.58	.73
Headless and veined.	22 to 28	.53	.66
Headless and veined.	28 to 33	.48	.60
Headless and veined.	33 to 46	.45	.56
Headless and veined.	46 to 70	.42	.52
Headless and veined.	70 and over	.38	.48

NOTE: 1½¢ per pound for sales at wholesale and 2¢ per pound for sales at retail may be added to the above listed maximum prices in the case of sales of imported shrimp and prawn received and sold in containers of one pound or less.

"SMOKED" AND "MILD CURED" FISH

Name and description	Style of processing	Size	Wholesale maximum price per pound net weight	Retail maximum price per pound net weight
Mild Cured Salmon King or Silver (Select)	Slabs or sides	Over 5 lbs	$0.53	$0.70
Mild Cured Salmon King or Silver (No. 2)	Slabs or sides	All	.46	.60
Smoked Salmon King of Silver	Slabs or sides	All	.71	.88
Smoked Kippered Salmon King or Chinook	Chunked		.69	.86
Smoked Sablefish (Black Cod or Sable Cod)	Dressed	All	.63	.78
Smoked Haddock Fillets (Finnan Haddie)	Fillets	All	.49	.65

All "cuts" of dressed fish other than steaks or fillets may be sold at prices not to exceed the maximum price per pound of the dressed fish from which it is derived.

The prices set forth herein for round and cleaned fish are for round and cleaned fish sold as whole or half (the word "half" as used in this sentence means 45% to 55% of the total weight of the round or cleaned fish), and halves may be sold at prices not to exceed the maximum price per pound of the round or cleaned fish from which it is derived.

All fish heads, bones or viscera from any imported fish may be sold at prices not to exceed 2¢ per pound.

(2) Broken lots. On sales of broken lots of frozen fish and seafood other than steaks, fillets, shrimp or prawn, the wholesaler is permitted to add 10% to the maximum prices for sales at wholesale, as set forth in this section. However, on sales of broken lots to other wholesalers no addition may be added. "Broken lots" are defined as partial lots of imported fish and seafood that have been broken or separated from the original contents of the immediate container in which the product has been packed by the processor, and which broken lots are sold, made ready for delivery, shipped out to a customer apart from the remainder of the original content of the immediate container.

(3) Inability to fix maximum prices. If the seller's maximum price for any imported fish or seafood item cannot be determined under the provisions of this section, he shall apply for a maximum price in accordance with the provisions of Section 9a of this regulation.

(c) *Maximum prices for sales to eating places.* The maximum prices for sales to hotels, restaurants, institutions and other eating places are the maximum prices for sales at wholesale fixed under paragraph (b) of this section. Nevertheless, if you are a retailer, you may during any month, use the maximum prices fixed by paragraph (b) of this section for sales at retail in selling to eating places if 80 percent or more of your total dollar sales of imported fish and seafood items during the previous calendar month were retail sales to consumers; that is, persons who buy these items to be eaten by themselves or their families off your premises.

(d) *Additional charge in the case of a sale at wholesale to a buyer located on another island.* In the case of a sale at wholesale by a seller located on one island to purchasers located on another island, an additional charge not to exceed inter-island ocean transportation costs actually incurred by the seller, may be added to the maximum prices for sales at wholesale established under paragraph (b), provided it is listed as a separate item on the seller's invoice.

(e) *How a wholesaler calculates his landed cost in advance of certain necessary information as to incidental charges.*

(1) *The error account.* If the actual amount for a charge other than the invoice cost is not in hand with respect to the landed cost of a particular shipment of any item, the wholesaler may estimate the amount of the charge for the purpose of determining the landed cost, but upon the following conditions:

(i) That he set up an "error account";

(ii) That when the actual amount becomes known he immediately include in this account the difference between the actual amount and the estimated amount;

(iii) That if the difference is an amount in excess of the actual amount, such difference shall be deducted in calculating the landed cost for any item on hand or received in the next shipment;

(iv) That if the difference is an amount less than the actual amount, then such difference may be added in calculating the landed cost for any item on hand or received in the next shipment;

(v) That the error account show how the differences are applied.

(f) *Definitions.* As used in this section 20a, the term:

(1) "Cleaned fish" means fish from which the viscera or entrails have been removed.

(2) "Count" as applied to shrimp and prawn, means the number of shrimp or prawn to the pound.

(3) "Cuts" means pieces or chunks of dressed fish other than steaks or fillets but does not include "nape bones," "backbones," "tails," "fins," or "belly trimmings."

(4) "Dresed fish" means fish from which the viscera and head have been removed.

(5) "Fillet" means the heavy meated section or strip of fish from along the backbone and outside the rib-bone, extending from the nape and gills to the tail.

(6) "Headless" means shrimp and/or prawn from which the head has been removed.

(7) "Headless and Veined" means shrimp and/or prawn from which the head and alimentary canal (sand vein) have been removed.

(8) "Head on" as applied to shrimp and prawn means shrimp and/or prawn as it comes from the water.

(9) "Landed cost" shall consist of the supplier's selling price less all discounts and allowances except cash discounts up to 2%, plus freight, storage, and cartage charges actually incurred by the buyer prior to exporting, plus ocean freight, war risk and marine insurance.

(10) "Peeled" means shrimp and/or prawn from which the head and shell have been removed.

(11) "Peeled and Veined" means shrimp and/or prawn from which the head, shell and alimentary canal (sand vein) have been removed.

(12) "Salted fish" or "dry salted fish" means only fish that has been preserved by salt treatment and is imported as "salted fish," or "dry salted fish" but does not include mild cured fish.

(13) "Smoked fish" and "mild cured fish" means only such imported "smoked fish" and "mild cured fish" as are given maximum prices in this regulation.

(14) "Round fish" means fish as it comes from the water.

(15) "Steak or slice" means a cross-section piece from the dressed fish after the tail, fins and collarbone (nape bone) have been removed which does not exceed the thickness of the fish or 4 inches, whichever is smaller.

(16) "Sales at retail" means sales to ultimate consumers; that is, persons who buy these items to be eaten by themselves or their families off your premises.

(17) "Sales at wholesale" means sales to any person other than an ultimate consumer and shall include sales to licensed retail stores, peddlers, hotels, restaurants, licensed boarding houses, the United States or any of its political subdivisions or agencies, public institutions, and all commercial and industrial users.

(g) *Revocation of orders affecting commodities covered by this section.* Any order issued prior to February 15, 1945 pursuant to the provisions of Sections 9 or 9a of this regulation affecting maximum prices for the sale of any fish or seafood items covered by this section is revoked as of February 15, 1945.

(h) *Records and invoices.* (NOTE.—Section 10 of this Maximum Price Regulation 373, shall not be applicable to this section.)

Every person making a sale and every person making a purchase in the course of trade or business of any imported fish or seafood covered by this section, or dealing therein, shall keep and make available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect the following records and invoices.

(1) *Records.* Every seller shall keep complete and accurate records of each purchase made by him, and every wholesaler shall keep complete and accurate records of each sale and transfer, of such imported fish or seafood, showing the date thereof, name and address of the buyer and seller, price charged, paid, or received, quantity in pounds, the species, and style of dressing of the fish or seafood bought or sold.

(2) *Sales invoices and sales slips.* (i) Every wholesaler making a sale or transfer of any imported fish or seafood covered by this section shall, at the time of delivery, give the purchaser an invoice or sales slip showing the date of sale, name and address of the seller,

name and address of the purchaser, species of fish or seafood, style of dressing, number of pounds, price per pound, and the total price charged or received, a copy of which must be retained by the seller.

(ii) *Retailers.* Every retailer making a sale or transfer of any imported frozen fish or seafood, covered by this section, who has customarily given the purchaser a sales slip, receipt or similar evidence of purchase shall continue to do so. Upon request from a purchaser, every retailer, regardless of previous custom, shall give the purchaser a receipt showing the date of sale, name and address of the seller and buyer, species of fish or sea food purchased, style of dressing, number of pounds, price per pound, and the total price charged or received, a copy of which must be retained by the seller.

(i) *Posting requirements for retailers.* Every retailer offering to sell any imported fish or seafood item covered by this section shall mark the name of the species and the selling price of such fish or seafood in a manner plainly visible to and understandable by the purchasing public on the commodity itself or on the case or counter upon or in which the commodity is kept. A copy of the official Office of Price Administration list of ceiling prices must be displayed on or near the case or counter, or in the peddler truck where the fish or seafood is displayed for sale.

(j) *Prohibited practices.* Notwithstanding the provisions of Section 6 of this regulation, the following practices are prohibited.

(1) The provisions of this section shall not be evaded either by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to any imported fish or seafood covered by this section, separately or in combination with any other commodity or service, or by means of any device making use of commissions, services, transportation arrangements, containers, packaging, or other charge, discounts, premiums or other provisions, by agreement or other trade understanding or by changing the style of dressing of the imported fish or seafood, or any other arrangement.

(2) Specifically, but not exclusively, the following practices are prohibited.

(i) Falsely or incorrectly invoicing the item.

(ii) Offering, selling, or delivering any imported fish or seafood on condition that the purchaser is required to purchase some other commodity or service.

(iii) Charging, paying, billing, or receiving any consideration for, or in connection with, any service for which a specific allowance has not been provided in this section.

(3) No retailer shall have in his store or cooler any imported fish or seafood subject to this section which has been bought or ordered by a customer and which is wrapped and ready for delivery to the customer or any package containing fish ready for delivery to a customer, unless there is attached to such package a sales slip showing the date of sale, the name and address of the seller, the name and address of the purchaser, the species of fish, the style of dressing, the number of pounds, the price per pound and the total price, a copy of which must be retained by the seller.

2. Section 55 is hereby revoked.

This amendment shall become effective as of February 15, 1945.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3523; Filed, Mar. 5, 1945; 11:29 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 50 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (a) is amended to read as follows:

(a) Processed foods shall have the point values set forth in the Official Table of Point Values (No. 23) (OPA Form R-1313) which is made a part hereof.

This amendment shall become effective 12:01 a. m., March 4, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3480; Filed, Mar. 3, 1945; 3:00 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[MPR 426,[2] Amdt. 92]

FRESH FRUITS AND VEGETABLES FOR TABLE USE, SALES EXCEPT AT RETAIL

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 15, Appendix H, Table 3 is amended in the following respects:

1. Footnote reference 4 is added to items 1 and 3 in Column 5.

2. Footnote 4 is amended to read as follows:

[4] During the period beginning March 6 and ending March 31, 1945, "$3.65" is substituted for "$3.50" in Item 1, Columns 5 and 6, and "13.0 cents per pound" is substituted for "12.5 cents per pound" in Item 3, Column 5.

This amendment shall become effective March 6, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

Approved: March 2, 1945.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 45-3527; Filed, Mar. 5, 1945; 11:26 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 81, Amdt. 2]

SALES BY THE UNITED STATES GOVERNMENT OR ITS AGENCIES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 81 is amended in the following respects:

1. Section 11 is added to read as follows:

SEC. 11. *Special maximum prices or exemptions.* The Office of Price Administration, on its own motion, may, by order, establish special maximum prices or special exemptions, applicable to sales by Government agencies or to resales by private resellers of food commodities purchased from Government agencies. Except where a special maximum price or special exemption for all or designated classes of resellers of a commodity has been provided by an order issued under this section 11, the maximum prices and exemptions applying to all such resales shall be determined by the applicable maximum price regulation.

2. Section 12 is added to read as follows:

SEC. 12. *Delegation to field offices.* The Administrator or any regional administrator may issue special maximum prices and exemptions in the form of orders issued under section 11 of this supplementary order.

This amendment shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3531; Filed, Mar. 5, 1945; 11:28 a. m.]

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[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3580, 3707, 4542, 4605, 4607, 4883, 5956, 6103, 6151, 6450, 7344, 7423, 7433, 9169, 9170, 9266, 9278, 9896, 10264, 10877, 10876, 11273, 11513, 11906, 11961, 12813, 12867, 14061, 14643, 15002, 15054; 10 F.R. 48, 776, 924.

[2] 8 F.R. 16409, 16294, 16519, 16423, 17372; 9 F.R. 790, 902, 1581, 2008, 2023, 2091, 2493, 4030, 4086, 4088, 4434, 4786, 4787, 4877, 5926, 5929, 6104, 6108, 6420, 6711, 7259, 7268, 7434, 7425, 7580, 7583, 7759, 7774, 7834, 8148, 9066, 9090, 9289, 9356, 9509, 9512, 9549, 9785, 9896, 9897, 10192, 10499, 10877, 10888, 10878, 11350, 11534, 11546, 12038, 12208, 12340, 12341, 12263, 12412, 12537, 12643, 12968, 12973, 13067, 13138, 13205, 13761, 13934, 14062, 13995, 14437, 14731, 15107; 10 F.R. 49, 256, 460, 923, 1540, 1403, 1456.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

UNIFORM ALLOWANCES

The Regulations, United States Coast Guard Reserve, 1941 (6 F.R. 1925), as amended, are hereby further amended by revising § 8.7112 to read as follows:

§ 8.7112 *Uniform allowances.* The uniform allowances shall be as prescribed from time to time in the Pay and Supply Instructions.

R. R. WAESCHE,
Vice Admiral, U. S. C. G.,
Commandant.

Approved: January 4, 1943.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 45-3410; Filed, Mar. 3, 1945; 9:35 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2029]

PART 5—FILMING OF MOTION OR SOUND PICTURES ON AREAS UNDER THE JURISDICTION OF THE DEPARTMENT OF THE INTERIOR

Order No. 1472 of April 20, 1940,[1] is hereby amended to read as follows:

Sec.
5.1 Written permission necessary for filming motion or sound pictures; exceptions.
5.2 Fees.
5.3 Restrictions and conditions governing issuance of filming permit.
5.4 Wildlife must be filmed in natural state.
5.5 Report by official in charge of area.
5.6 Form of application.

AUTHORITY: §§ 5.1 to 5.6, inclusive, issued pursuant to R.S. 161, 453, 463, 2478, sec. 10, 32 Stat. 390; sec. 3, 39 Stat. 535; sec. 10, 45 Stat. 1224; sec. 2, 48 Stat. 1270; 5 U.S.C. 22; 43 U.S.C. 2; 25 U.S.C. 2; 43 U.S.C. 1201, 373; 16 U.S.C. 3, 715l; 43 U.S.C. 315a.

§ 5.1 *Written permission necessary for filming motion or sound pictures; exceptions.* Before any motion or sound picture may be filmed, except by amateurs and bona fide news reel photographers, on any area under the jurisdiction of the Department of the Interior (except on areas administered by the Office of Indian Affairs, where the taking of motion and sound pictures shall be governed by the special provisions set forth below), permission must first be obtained, in writing, from the official in charge of the particular area involved. Application for such permission should be submitted substantially in accordance with the form prescribed in § 5.6.

[1] Not filed with the Division of the Federal Register.

§ 5.2 *Fees.* Charges shall be made only for the taking of feature motion or sound pictures involving sets, professional casts, and technical crews. The amount of the fee to be paid or of the donation to be made shall be determined in each case by the proper official in accordance with the following formulae:

(a) *On areas administered by the General Land Office, the Fish and Wildlife Service, the Bureau of Reclamation, and the Grazing Service.* (1) $10 per day for a cast of 1 to 5 persons.

(2) $25 per day for a cast of 6 to 25 persons.

(3) $50 per day for a cast of 26 to 75 persons.

(4) $75 per day for a cast of 76 to 150 persons.

(5) $100 per day for a cast of more than 150 persons.

(b) *On areas administered by the Office of Indian Affairs.* (1) Anyone taking pictures of Indians, their homes, plazas, kivas, churches, etc., is expected to observe the ordinary courtesies of obtaining proper permission from the persons involved.

Some Indian groups prohibit the taking of pictures of ceremonials and sacred shrines. Others do not. Permission to take such pictures must be obtained beforehand from the proper official of the community.

(2) Before any picture may be made for commercial purposes on lands under the jurisdiction of the Office of Indian Affairs, permission must be first obtained from the appropriate tribal officers. Limitations which they may impose must be scrupulously regarded.

(3) Any schedules of wages or salaries to be paid to any Indians who may be employed by the permittee must be approved by the Superintendent or other official in charge of the area or areas involved.

(c) *On areas administered by the National Park Service.* (1) $50 per day for a cast of 1 to 5 persons.

(2) $125 per day for a cast of 6 to 25 persons.

(3) $175 per day for a cast of 26 to 75 persons.

(4) $250 per day for a cast of 76 to 150 persons.

(5) The fee to be paid or donation to be made for a cast of more than 150 persons to be arrived at by negotiation with the proper official and to be subject to the approval of the Secretary of the Interior.

A charge shall be made only for days or fractions thereof that actual filming operations are carried on and shall not include the time spent in the area in the construction of sets in advance of filming and in cleaning up after the filming has been completed.

§ 5.3 *Restrictions and conditions governing issuance of filming permit.* Permission to take a motion or sound picture will be granted by the proper field official in his discretion and on condition that the permittee shall furnish a bond, or make a deposit in cash or by certified check, in an amount to be set by that official, to insure against damage to the area involved and to assure a clean-up after filming has been completed; on condition that the permittee shall refrain, in accordance with the Act of the Congress approved on March 3, 1917 (39 Stat. 1106), from offering any gratuity of whatsoever nature to any employee of the Government in connection with the exercise of the privilege granted; and on condition that the permittee shall give credit to the Department of the Interior in an appropriate courtesy title if any of the scenes photographed are used in travelogs or motion pictures taken for educational purposes.

§ 5.4 *Wildlife must be filmed in natural state.* Motion or sound pictures of wildlife or any area administered by a bureau or division of the Department of the Interior shall be permitted only when such wildlife is shown in its natural state.

§ 5.5 *Report by official in charge of area.* When a feature motion or sound picture is to be filmed, the official in charge of the area concerned shall report to Washington immediately, through channels, that a permit authorizing it to be taken has been issued and its terms and conditions.

Upon completion of the filming by the permittee, it shall be the duty of the official in charge of the area to submit a full report to Washington, through channels, specifying the number of days the filming required, and giving, in general, the scope of the picture and the manner in which it was taken.

A copy of the approved application, accompanied by a copy of the required bond or by a statement that a deposit has been made, shall accompany the report.

§ 5.6 *Form of application.*

Application for permission to take a motion or a motion and sound picture under Department Order No. _____ dated _____, _____.

Date _____

To the _____, _____
(Title)

_____
(Area)

According to the authorization of the Secretary of the Interior contained in the above-mentioned Order, it is proposed, with your approval, to film a motion or a motion and sound picture in the above-named area under the conditions stated in Order No. _____, the scope of filming and manner and extent thereof to be as follows (An additional sheet should be used, if necessary):

1. We will commence filming on or about _____, and estimate it will take approximately _____ days, weather conditions permitting.

2. If any of the scenes filmed are used in travelogs or for use in motion pictures for educational purposes credit will be given to the Department of the Interior in an appropriate courtesy title.

3. The filming will be strictly in accordance with the applicable regulations of the Department of the Interior, and we will abide with any special instructions given to us by the official in charge of the above-named area. In addition, we will exercise the utmost care to see that no natural features are injured and that the area is left

in a condition satisfactory to the official in charge of it.

4. We will refrain, in accordance with the provisions of the act of the Congress approved on March 3, 1917 (39 Stat. 1106), from offering any gratuity of whatsoever nature to any employee of the Government in connection with the exercise of the privilege herein authorized and will furnish to the official in charge of the above-named area, upon request, any additional information relating to the taking of the motion or motion and sound picture covered by this application.

(Applicant)

For ---
(Company)

Bond Requirement $---

(Area)

Approved: ---
(Date)

Fee or Donation: $---;

(Title)

(Address)

HAROLD L. ICKES,
Secretary of the Interior.

FEBRUARY 26, 1945.

[F. R. Doc. 45-3415; Filed, Mar. 3, 1945; 9:46 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Appendix A—Waiver of Navigation and Vessel Inspection Laws and Regulations

MARITIME COMMISSION VESSELS

INSPECTION OF REFRIGERATION EQUIPMENT, ETC.

Vessels engaged in business connected with the conduct of the war.

The Commandant, United States Coast Guard, having by order dated 13 December, 1944 (9 F.R. 14681; F.R. Doc. 44-19021) pursuant to the authority of the order of the Acting Secretary of the Navy dated 1 October, 1942 (7 F.R. 7979; F.R. Doc. 42-9999) found necessary in the conduct of the war waiver or compliance with the vessel inspection regulations administered by the Coast Guard to the extent therein set forth, and finding the following amendment necessary in the conduct of the war; *It is ordered,* That said order dated 13 December 1944, be and it hereby is amended in the following respect:

1. The sixth unnumbered paragraph of said order, reading as follows: "Section 63.11 (a) (3) to the extent necessary to permit the omission of a voice tube or telephone between radio room and navigating bridge;", is deleted.

Dated: March 2, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-3411; Filed, Mar. 3, 1945; 9:35 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Special Direction ODT 18A-2A, Amdt. 3]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, as amended, item number 475 (b) of Special Direction ODT 18A-2A is hereby amended to read as follows:

475. (b) In bags, burlap or cloth; in boxes; or in sacks, paper; containing 100 pounds or more each; shall be loaded to a weight not less than 50,000 pounds, subject to Note 1, Item 485.

This Amendment 3 to Special Direction ODT 18A-2A shall become effective March 5, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 18A, as amended, 8 F.R. 14477, 9 F.R. 116, 9 F.R. 7528, 9 F.R. 13008)

Issued at Washington, D. C., this 5th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-3474; Filed, Mar. 3, 1945; 2:11 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

General Land Office.

[Stock Driveway Withdrawal 271, Idaho 22]

IDAHO

WITHDRAWAL OF PUBLIC LANDS

By virtue of the authority contained in section 7 of the act of June 28, 1934, 48 Stat. 1272, as amended by the act of June 26, 1936, 49 Stat. 1976 (U.S.C. title 43, sec. 315f), and in section 10 of the act of December 29, 1916, 39 Stat. 865, as amended by the act of January 29, 1929, 45 Stat. 1144 (U.S.C. title 43, sec. 300), it is ordered as follows:

The following-described public lands in Idaho are hereby classified as necessary and suitable for stock-driveway purposes and, excepting any mineral deposits therein, are withdrawn from all disposal under the public-land laws and reserved, subject to valid existing rights, for the use of the general public, the reservation to be known as Stock Driveway Withdrawal No. 271, Idaho No. 22:

BOISE MERIDIAN

T. 29 N., R. 8 E.,
Sec. 7, SE¼SW¼ and S½SE¼;
Sec. 8, S½SW¼ and SW¼SE¼;
Sec. 17, N½NE¼ and SE¼NE¼.
The areas described aggregate 360 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and such regulations as have been or may be issued thereunder.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

FEBRUARY 23, 1945.

[F. R. Doc. 45-3412; Filed, Mar. 3, 1945; 9:46 a. m.]

OREGON

ESTABLISHMENT OF TIMBER PRESERVATION AREAS; REVOCATION OF RECREATIONAL WITHDRAWALS NOS. 31 AND 42

By virtue of the authority contained in sections 1 and 5 of the act of August 28, 1937, 50 Stat. 875, it is ordered as follows:

Subject to valid existing rights, the following-described revested Oregon and California Railroad grant lands are hereby withdrawn from all forms of disposition and reserved for administration by the Oregon and California Revested Land Administration, General Land Office, as timber preservation areas, and for the protection of their recreational and scenic values:

WILLAMETTE MERIDIAN

AREA NO. 1

T. 16 S., R. 6 W.,
Sec. 7, lots 1 and 2, SE¼NW¼, NE¼SW¼, and NW¼SE¼.
T. 16 S., R. 7 W.,
Sec. 1, SE¼SE¼.

The areas described aggregate 246.49 acres.

AREA NO. 2

T. 16 S., R. 7 W.,
Sec. 19, SE¼SW¼ and S½SE¼.

The areas described aggregate 120 acres.

Trees may be cut only under the supervision of the Chief Forester as and when deemed necessary in order properly to maintain the reserved area.

The withdrawal made by this order shall be subject to Power Site Reserve No. 659, established by an Executive order of December 17, 1917, and to Water Power Designation No. 14, Oregon-California Railroad Grant Lands No. 6, created by an order of the Secretary of the Interior dated December 12, 1917.

The orders of the Assistant Secretary of the Interior dated January 14 and December 27, 1930, withdrawing the above-described lands as Recreational Withdrawals No. 31 and No. 42, under the act of June 14, 1926, 44 Stat. 741, as amended by the act of April 13, 1928, 45 Stat. 429 (U.S.C., title 43, secs. 869 and 869a), are hereby revoked.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

FEBRUARY 23, 1945.

[F. R. Doc. 45-3413; Filed, Mar. 3, 1945; 9:46 a. m.]

OREGON

REVOCATION OF RECREATIONAL WITHDRAWALS NOS. 13 AND 44; REDUCTION OF RECREATIONAL WITHDRAWAL NO. 26

The orders of the First Assistant Secretary and Assistant Secretary of the In-

terior dated July 12, 1928, August 3, 1929, and March 16, 1931, withdrawing certain revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road Grant lands in Oregon as Recreational Withdrawals Nos. 13, 26, and 44, under the act of June 14, 1926, 44 Stat. 741, as amended by the act of April 13, 1928, 45 Stat. 429 (U.S.C., title 43, secs. 869 and 869a), are hereby revoked so far as they affect the following-described lands:

WILLAMETTE MERIDIAN

T. 33 S., R. 1 E.,
Sec. 23, NW¼SE¼;
Sec. 27, N½SE¼.
T. 33 S., R. 2 E.,
Sec. 11, NW¼SW¼;
Sec. 17, SE¼NE¼, N½SE¼, and SE¼SE¼.
T. 22 S., R. 7 W.,
Sec. 15, SE¼NE¼, and SE¼.
T. 29 S., R. 8 W.,
Sec. 9, W½NE¼, and E½NW¼.

The areas described aggregate 680 acres.

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

FEBRUARY 23, 1945.

[F. R. Doc. 45-3414; Filed, Mar. 3, 1945; 9:46 a. m.

CIVIL AERONAUTICS BOARD.

[Docket No. 824]

NATIONAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith for National Airlines, Inc., over route Nos. 31 and 39.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 406 and 1001 of said act, that hearing in the above-entitled proceeding is assigned to be held on April 2, 1945, at 10:00 a. m. (eastern war time) in Room 5132, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before Examiner Ross I. Newman.

Dated: Washington, D. C., March 2, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-3521; Filed, Mar. 5, 1945; 11:36 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. IT-5891 and IT-5932]

FORT PECK PROJECT, MISSOURI RIVER, MONT.

NOTICE OF APPLICATION FOR APPROVAL OF RATES AND CHARGES FOR SALE OF POWER

MARCH 2, 1945.

Notice is hereby given that pursuant to the provisions of the Fort Peck Act approved May 18, 1938 (52 Stat. 403), the Commissioner of Reclamation has filed with the Federal Power Commission proposed rate schedules for the sale of electric power generated at the Fort Peck Project on the Missouri River, Montana, for confirmation and approval of the rates and charges therein provided (Docket Nos. IT-5891 and IT-5932).

It is proposed to make firm power service available to wholesale power customers for light and power service supplied through one meter at one delivery point with a demand charge of 75 cents per kw of billing demand and an energy charge of 3.5 mills per kwh for the first 250 hours use per kw of billing demand and 3 mills per kwh for all additional use, the minimum monthly bill to be $1.00 per kw of contract demand with a discount of five percent allowed on demand and energy charges if delivery is made at transmission voltage of 33 kv or higher; the billing demand to be the highest 30-minute integrated demand measured during the month. If delivery is made at 33 kv or higher but metered at the low voltage side of the customer's substation the meter readings will be increased by two percent to compensate for transformer losses. The firm power service rate is not applicable to standby or auxiliary service or to the sale of dump energy.

It is proposed that a commercial service rate be made available in Fort Peck for commercial or general service at delivery voltages of 115 and 230 volts, with a monthly rate of two cents per kwh for all energy used. There is to be no demand charge and no minimum bill.

A seasonal irrigation pumping service rate is to be made available during the months of March to October, inclusive, for use in the operation of irrigation and drainage pumping plants on irrigation projects financed wholly or in part by the United States. Power is to be supplied through one meter at one point of delivery at major pumping plants at 2.5 mills per kwh for all energy used. There is to be no demand charge and the minimum bill will be determined by the Bureau of Reclamation as a contract provision.

A dump power service rate of 2.5 mills per kwh is proposed to be applicable to customers normally maintaining sufficient generating facilities to supply their energy requirements when dump energy is not available. There is to be no demand charge and the minimum bill will be determined by the Bureau of Reclamation as a contract provision.

In addition to the rate schedules referred to above, it is proposed that an agreement be entered into for the sale of electric power from the Fort Peck Project to Montana-Dakota Utilities Co. for a fifteen-year period (Docket No. IT-5932). The rates under this agreement will be the same as those referred to above for firm power, with certain modifications. The Company is to furnish as standby service to the Bureau of Reclamation such power and energy as it has available above its own requirements for loads of the United States or its customers served from the Company's transmission system. After a second point of delivery is established and a second generating unit is installed at the Fort Peck Project, the Company will not be obligated to maintain its facilities or operating crews to furnish this standby service until within ten days after it is requested to do so. The standby service will be paid for at a rate per kwh equal to the average cost of energy supplied to the Company in the billing period involved. Within the physical limits of its transmission system, the Company is to allow the United States to transmit electric power over that part of its system having an operating voltage of 13.2 kv or higher, for delivery to irrigation and drainage pumping plants, REA cooperatives and war plants. The Company agrees that certain of its irrigation pumping and rural electric service customers may be served by the United States. The maximum charge in any one contract year for the right to transmit energy over the Company's system lying along the Missouri and Yellowstone Rivers between Wolf Point, Montana and Forsyth, Montana, is $27,000, but this limitation does not apply where the United States transmits power and energy to other points on the Company's system. The Company agrees to put into effect new or revised rate schedules passing on to its customers in eastern Montana and western North Dakota savings which accrue to it under the contract.

Any person desiring to make representations with respect to the proposed rate schedules or the proposed contract should, on or before March 19, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-3484; Filed, Mar. 3, 1945; 3:16 p. m.]

[Docket No. G-624]

AMERICAN LIGHT & TRACTION CO.

NOTICE OF APPLICATION

MARCH 3, 1945.

Notice is hereby given that on February 19, 1945, American Light & Traction Company, a New Jersey corporation having its principal place of business in the Borough of Rockleigh, State of New Jersey, filed its application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, "for use by itself or its wholly-owned subsidiary" to be organized under the laws of the State of Delaware and to be known as the "Michigan-Wisconsin Natural Gas Pipe Line Company," to authorize the construction and operation of the following described facilities:

(1) A natural gas pipe line consisting of 26-inch and 22-inch pipe and appurtenant facilities to originate at a point in the Hugoton gas field near Guymon, Oklahoma, and extend in a general northeasterly direction some 1,085 miles to points of delivery near Toledo, Ohio, and Detroit, Michigan;

(2) A 26-inch natural gas pipe line and appurtenant facilities to extend from Detroit in a northwesterly direction

some 140 miles to the Austin gas storage field in Mecosta County, Michigan, and to connect with the above-mentioned line from the Hugoton gas field at a point near Detroit;

(3) Four compressor stations having a total of 27,000 installed horsepower, one of which (5,000 h. p.) is to be installed at the Austin storage field.

In addition to the foregoing, the Applicant proposes to construct additional gathering pipe lines and several new gas wells in the Austin gas storage field.

It is asserted by Applicant that the initial daily capacity of the pipe line from the Hugoton gas field to Detroit will be 145,500 MCF of natural gas, which capacity during the first five years would be used to deliver some 125,000 MCF of natural gas daily to The Ohio Fuel Gas Company at a point near Toledo, Ohio, and to furnish all of the natural-gas requirements of the Michigan Consolidated Gas Company in excess of the amount to be furnished by Panhandle Eastern Pipe Line Company under existing contracts. It is further asserted, in effect, that the use of the Austin storage field, with the proposed 26-inch pipe line to that field and the 5,000-horsepower compressor station to be installed at the field, will permit the delivery, during short periods, of 345,000 MCF per day to the area to be served, of which 295,000 MCF daily would be available for delivery to Ohio for meeting emergency requirements.

Applicant asserts that the over-all capital cost of the project is estimated to be $51,500,000. It is proposed, in the event a subsidiary is formed as above indicated, that the Applicant will supply $20,000,000 of equity capital in return for common capital stock at par, and the balance will be obtained by the marketing of $30,000,000 of First Mortgage 3½ percent bonds and $1,500,000 of 3½ percent Serial Notes.

It is further asserted by the Applicant that the pipe line for which a certificate of public convenience and necessity is requested has been designed for the purpose of extending relief to the gas shortage in the Appalachian area as well as to provide continued adequate service for the war industries and the communities in which they are located in Michigan.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 21st day of March, 1945, file with the Federal Power Commission, Washington 25, D. C., a petititon or protest in accordance with the Commission's provisional rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-3500; Filed, Mar. 5, 1945; 9:56 a. m.]

[Docket No. IT-5519]

BONNEVILLE PROJECT, COLUMBIA RIVER, OREG.-WASH.

NOTICE OF REQUEST FOR APPROVAL OF RATES AND CHARGES FOR SALE OF POWER

MARCH 3, 1945.

Notice is hereby given that the Administrator of the Bonneville Project has filed with the Federal Power Commission for confirmation and approval, pursuant to the provisions of the Bonneville Act (50 Stat. 731), as amended, a proposed contract between the Bonneville Power Administrator and the Bureau of Mines for the supply of power, produced at the Bonneville Project, to the Bureau of Mines Electrodevelopment Laboratory at Albany, Oreg.

The proposed contract states that the "Purchaser intends to utilize such power at the Electrodevelopment Laboratory for the purpose of experimentation in the development of new and improved processing methods employing electric energy," and provides for a special rate of 2.5 mills per kilowatt hour for energy used for experimental purposes.

Any person desiring to make representations with respect to the foregoing should, on or before March 19, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-3499; Filed, Mar. 5, 1945; 9:56 a. m.]

[Docket No. IT-5935]

NORFOLK DAM PROJECT

NOTICE FOR REQUEST FOR APPROVAL OF RATES AND CHARGES FOR SALE OF POWER

MARCH 3, 1945.

Notice is hereby given that pursuant to the provisions of Executive Order No. 9373 (8 F.R. 12001), the Secretary of the Interior filed with the Federal Power Commission schedules of rates covering the sale of electric energy from the Norfork Dam Project, Arkansas, for approval.

It is proposed to sell 35,000 kw and 9,000,000 kwh per month of firm power and energy at a rate of $35,000 per month demand charge, plus an energy charge of 1.11 mills per kwh and on-peak secondary energy at a rate of 2.5 mills and 2 mills per kwh and off-peak secondary energy at a rate of 1 mill per kwh. The rates so provided are to continue until July 1, 1949, or six months after the cessation of hostilities, whichever is sooner, and provision is made for the recapture up to 15,000 kw of the power to be sold under the schedules. The entire output of this project is to be sold to the Arkansas Power & Light Company for the present.

Any person desiring to make representations with respect to the above schedules should, on or before March 19, 1945, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-3498; Filed, Mar. 5, 1945; 9:56 a. m.]

[Docket No. G-621]

TENNESSEE GAS & TRANSMISSION CO.

ORDER FIXING DATE OF HEARING

MARCH 2, 1945.

It appears to the Commission that:

(a) On February 10, 1945, Tennessee Gas and Transmission Company (Applicant) filed an application, amended February 16, 1945, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize Applicant to:

(1) Construct and operate approximately 95 miles of 16-inch pipe line extending from the San Salvador Field in Hidalgo County, Texas, in a general northeasterly direction to a point of connection with the southern terminus of Applicant's main transmission pipe line in Nueces County, Texas, and a dehydration plant to be operated in conjunction with such line;

(2) Operate, under a proposed lease agreement with Defense Plant Corporation, four additional compressor stations of 8,000 horsepower each (Numbers 7, 9, 11, and 13) to be located, respectively, in Washington County, Mississippi, Hardeman County, Tennessee, Robertson County, Tennessee, and Montgomery County, Kentucky.

(b) The application states that the above-described facilities are necessary in order to increase Applicant's system delivery capacity by approximately 60 million cubic feet per day to permit greater deliveries of natural gas by Applicant into the Appalachian area.

(c) The application further states that the proposed facilities referred to in paragraph (a) (2) above will be constructed by the Defense Plant Corporation and leased to Applicant. Defense Plant Corporation is an agency of the United States Government organized under section 5 (d) of the Reconstruction Finance Corporation Act, as amended, which agency will participate in the proposed construction at the direction of the War Production Board to assist in the war effort by making additional volumes of natural gas available in the Appalachian area for essential war production.

(d) Applicant has been advised by the War Production Board that it is necessary to increase the capacity of its pipeline system, to the extent covered by this application, in order to make additional quantities of natural gas available in the Appalachian area, especially during the forthcoming 1945-1946 winter season. Applicant states that it will be governed entirely by orders or directives of the War Porduction Board or other appropriate governmental authority as to the disposition of the additional quantities of gas during the war emergency period.

(e) On February 19, 1945, the War Production Board issued preference rating and allotment certificates for the proposed facilities subject to the condition that Applicant shall comply with all applicable requirements of the Natural Gas Act.

The Commission orders that:

(A) A public hearing be held commencing on March 21, 1945, at 10 a. m. (e. w. t.) in the Hearing Room of the

Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 45-3518; Filed, Mar. 5, 1945; 11:08 a. m.]

[Docket No. G-622]

UNITED GAS PIPE LINE CO.

ORDER FIXING DATE OF HEARING

MARCH 2, 1945.

Upon consideration of the application filed February 12, 1945, as amended February 26, 1945, by United Gas Pipe Line Company (Applicant) for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following-described facilities:

(1) Approximately 142 miles of 24-inch natural-gas transmission pipe line extending in an easterly direction from Applicant's gasoline plant in the Carthage Field, near Carthage, Panola County, Texas, to connect with existing facilities of Tennessee Gas and Transmission Company and of the Applicant located in the Monroe Field, Ouachita Parish, Louisiana;

(2) Four measuring stations: two to be located at Applicant's Carthage Field gasoline plant and two to be located in the Monroe Field area, together with a telephone line and appurtenant facilities; and

It appearing to the Commission that:

Applicant initially proposes to transport approximately 170,000 Mcf of natural gas per day through the aforesaid facilities. Tennessee Gas and Transmission Company has a supply of natural gas available to it in the Carthage Field, and Applicant proposes, pursuant to an agreement with Tennessee Gas and Transmission Company, to transport approximately 100,000 Mcf of gas per day from the Carthage Field for Tennessee Gas and Transmission Company, such gas to be delivered at the latter's Monroe compressor station, Ouachita Parish, Louisiana. The remaining 70,000 Mcf per day would be used to augment Applicant's gas supplies in the Monroe Field.

The Commission orders that:

(A) A public hearing be held commencing on March 26, 1945, at 10 a. m. (e. w. t.) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing, as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 45-3519; Filed, Mar. 5, 1945; 11:07 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 891]

RECONSIGNMENT OF LETTUCE AT EL PASO, TEXAS

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at El Paso, Texas, February 27, 1945, by Manzo Brothers of car ART 15638, lettuce, now on the Southern Pacific Lines, to Manzo Brothers, Chicago, Illinois (T&P-Frisco-Alton).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-3465; Filed, Mar. 3, 1945; 11:27 a. m.]

[S. O. 70-A, Special Permit 892]

RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, February 27, 1945, by Gust Relias of car PFE 35369, tomatoes, now on the Wabash Railroad, to Atlantic Commission Co., Milwaukee, Wisconsin (C&NW).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-3466; Filed, Mar. 3, 1945; 11:27 a. m.]

[S. O. 282, Special Permit 49]

REICING OF MIXED VEGETABLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, February 27, 1945, with not to exceed 2,000 pounds of retop ice, car ART 21457, mixed vegetables, on the Wabash RR., as requested by Shapiro Brothers.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 45-3467; Filed, Mar. 3, 1945; 11:27 a. m.]

[S. O. 282, Special Permit 50]

REICING OF CABBAGE AT NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at 33d Street, 10th Ave. Yard, New York, February 27, 1945, with not to exceed 2,000 pounds retop ice, car PFE 62170, cabbage, on N. Y. C. R. R. as ordered by Carbone Bros.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3468; Filed, Mar. 3, 1945; 11:27 a. m.]

[S. O. 282, Special Permit 51]

REICING OF CAULIFLOWER AND CABBAGE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only February 27, 1945, at Chicago, Illinois, with not to exceed 3,000 pounds of retop ice per car, cars PFE 92342, cauliflower, and ART 17304, cabbage, on the Chicago, Produce Terminal, as requested by Shapiro Brothers.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3469; Filed, Mar. 3, 1945; 11:28 a. m.]

[S. O. 282, Special Permit 52]

REICING OF GREENS AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, February 27, 1945, with not to exceed 2,000 pounds of retop ice, car PFE 45046, greens, on the Chicago Produce Terminal, as requested by N. Rosenburg.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3470; Filed, Mar. 3, 1945; 11:28 a. m.]

[S. O. 282, Special Permit 53]

REICING OF BROCCOLI AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, February 27, 1945, with not to exceed 3,000 pounds of retop ice, car PFE 62997, broccoli, on the Alton Railroad, as requested by the Pacific Fruit Express Company for S. A. Gerrard Company, account carrier's error.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3471; Filed, Mar. 3, 1945; 11:28 a. m.]

[S. O. 282, Special Permit 54]

REICING OF SPINACH AT WAVERLY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F. R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282, insofar as it applies to the retop icing, one time only, at Waverly, N. J., February 27, 1945, with not to exceed 2,000 pounds of retop ice, on car FGE 36630, spinach, on the Pennsylvania Railroad, as requested by Atlantic Commission Company.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3472; Filed, Mar. 3, 1945; 11:28 a. m.]

[S. O. 282, Special Permit 55]

REICING OF CARROTS, SPINACH, CHICORY AND ESCAROLE AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Jersey City, N. J., February 27, 1945, with not to exceed 2,000 pounds of retop ice per car, cars SFRD 26091, carrots, WFE 62197, spinach, and SFRD 31474, carrots, all on the Erie Railroad at Croxton Yard; and PFE 27243, chicory, and WFE 60153, mixed escarole and chicory, both on the Pennsylvania Railroad at Harsimus Cove, as requested by Kodish & Zwick.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3473; Filed, Mar. 3, 1945; 11:28 a. m.]

[S. O. 284-A]

FLOOD CONDITIONS; REROUTING OF FREIGHT TRAFFIC

At a session of the Interstate Commerce Commission, Division 3, held at

its office in Washington, D. C., on the 1st day of March, A. D. 1945.

Upon further consideration of Service Order No. 284 (10 F. R. 2259) of February 23, 1945, and good cause appearing therefore:

It is ordered, That Service Order No. 284 (10 F. R. 2259) of February 23, 1945, directing the Canton & Carthage Railroad Company to reroute traffic over its line because of flood conditions on the Pearl River between Cook and River Hill, Miss., be, and it is hereby, vacated and set aside. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 911; 49 U.S.C. 1 (10)–(17), 15 (2))

It is further ordered, That this order shall become effective at 12:01 a. m. March 2, 1945; that copies of this order and direction shall be served upon the Canton & Carthage Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 45-3464; Filed, Mar. 3, 1945; 11:27 a. m.]

[S. O. 70-A, Special Permit 893]

RECONSIGNMENT OF CELERY AT PHILADELPHIA, PA.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Philadelphia, Pennsylvania, February 28, 1945, by M&C Produce Co., of car PFE 29582, celery, now on the Pennsylvania R. R., to Yeckes Eichenbaum Co., New York, N. Y. (P. R. R.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3504; Filed, Mar. 5, 1945; 11:04 a. m.]

[S. O. 70-A, Special Permit 894]

RECONSIGNMENT OF ORANGES AT MINNEAPOLIS, MINN.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Minneapolis, Minnesota, February 28, 1945, by C. H. Robinson & Co., of car PFE 92002, oranges, now on the Rock Island Lines, to Nash Finch Co., Thief River Falls, Minnesota, with stop-off to partly unload at Grand Forks, N. D. (G. N.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3505; Filed, Mar. 5, 1945; 11:04 a. m.]

[S. O. 70-A, Special Permit 895]

RECONSIGNMENT OF LETTUCE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, February 28, 1945, by McCaffrey Brothers, of car WFEX 49609, lettuce, now on the Rock Island lines, to Louis J. DeCarlo, Buffalo, N. Y. (N-K-P).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3506; Filed, Mar. 5, 1945; 11:04 a. m.]

[S. O. 262, Amended Special Permit 2]

REICING OF CITRUS FRUITS FROM FLORIDA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph of Service Order No. 262 of December 18, 1944, (9 F.R. 14786) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 262 insofar as it applies to the furnishing of one reicing in transit; at Savannah, Georgia, by the Seaboard Air Line Railway, or at Waycross, Georgia, or Jacksonville, Florida, by the Atlantic Coast Line Railroad, on refrigerator cars loaded with citrus fruit originating in Florida, moving on Government bills of lading, consigned to the Charleston, S. C., Port of Embarkation; or at Florence, S. C., Hamlet, N. C., Aberdeen, N. C., or Spencer, N. C., on refrigerator cars loaded with citrus fruit originating in Florida, moving on Government bills of lading, consigned to the Army or the Navy at Norfolk, Virginia, or Newport News, Virginia.

This permit shall become effective at 12:01 a. m., March 1, 1945, and shall apply on all cars billed or rolling on or after that date; and it shall expire at 11:59 p. m., March 31, 1945.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director.
Bureau of Service.

[F. R. Doc. 45-3507; Filed, Mar. 5, 1945; 11:04 a. m.]

[S.O. 282, Special Permit 56]

REICING OF CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945, (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, February 28, 1945, with not to exceed 2,000 pounds retop ice, car WFE 60188, cauliflower, on Chicago Produce Terminal, as requested by La Mantia Bros.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of Secretary of the Commission

at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3508; Filed, Mar. 5, 1945; 11:04 a.m.]

[S. O. 282, Special Permit 57]

REICING OF LETTUCE AND CAULIFLOWER AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, February 28, 1945, with not to exceed 2,000 pounds retop ice per car on cars RD 21187, lettuce, and ART 17025, cauliflower, on Chicago Produce Terminal as requested by Schuman Co.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3509; Filed, Mar. 5, 1945; 11:04 a. m.]

[S. O. 282, Special Permit 58]

REICING OF SHALLOTS AT NEW YORK, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at New York City, February 28, 1945, with not to exceed 2,000 pounds retop ice, car MDT-19581, shallots, on 26th St. Station, B&O R. R. as requested by Carbone Co.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3510; Filed, Mar. 5, 1945; 11:04 a. m.]

[S. O. 282, Special Permit 59]

ICING OF SPINACH AT NEW YORK CITY AND JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, with not to exceed 2,000 pounds retop ice for each of following cars at request of Perrich Bros.

URT 9198, spinach, on B&O 26th St. Station, New York City.

URT 9900, spinach, on B&O Team Track, Jersey City, N. J.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3511; Filed, Mar. 5, 1945; 11:04 a. m.]

[S. O. 282, Special Permit 60]

ICING OF SPINACH AT BALTIMORE, MD.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 12, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Baltimore, Maryland, February 28, 1945, with not to exceed 4,000 pounds of retop ice, car NWX 7370, spinach, on the Pennsylvania Produce Terminal (P. R. R.), as requested by Zimmerman Brothers.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3512; Filed, Mar. 5, 1945; 11:05 a. m.]

[S. O. 282, Special Permit 61]

ICING OF SPINACH AT MILWAUKEE, WIS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282, insofar as it applies to the retop icing, one time only, at Milwaukee, Wisconsin, February 28, 1945, with not to exceed 2,000 pounds of retop ice, car NRC 4350, spinach, on the Chicago and North Western Ry., as requested by Falk Anderson Company.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3513; Filed, Mar. 5, 1945; 11:05 a. m.]

[S. O. 282, Special Permit]

ICING OF PARSLEY, SPINACH AND CARROTS AT JERSEY CITY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop

icing, one time only, at Jersey City, New Jersey, February 28, 1945, with not to exceed 2,000 pounds of retop ice per car, cars WFE 67729, parsley, SFRD 25958, spinach, SFRD 25532, carrots, all on the Erie RR. at Croxton Yards, and NWX 5550, carrots, on the Pennsylvania RR. at Harsimus Cove, as requested by Kodisch & Zwick.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3514; Filed, Mar. 5, 1945; 11:05 a. m.]

[S. O. 282, Special Permit 63]

ICING OF ESCAROLE AT SOUTH CARNEY, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing; one time only, at South Carney, New Jersey, February 28, 1945, with not to exceed 2,000 pounds of retop ice, car NADX 6317, escarole, on the Pennsylvania RR. at Manhattan Produce Yard, as requested by Garginlo & Amendola.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February, 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3515; Field, Mar. 5, 1945; 11:05 a. m.]

[S. O. 282, Special Permit 64]

ICING OF ESCAROLE AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 282 of February 13, 1945 (10 F.R. 1911) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 282 insofar as it applies to the retop icing, one time only, at Chicago, Illinois, February 28, 1945, with not to exceed 3,000 pounds of retop ice, cars FGE 31768 and NRC 17122, escarole, now on the Chicago Produce Terminal, as requested by La Mantia Brothers Arrigo.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3516; Filed, Mar. 5, 1945; 11:05 a. m.]

[S.O. 286, Special Permit 1]

MOVEMENT OF GARBANZOS FROM HOUSTON, TEX.

Pursuant to the authority vested in me by paragraph (C) of the first ordering paragraph of Service Order No. 286 of February 24, 1945 (10 F.R. 2253) permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 286 insofar as it applies to the furnishing or supplying of thirty (30) railroad freight cars for loading with, or the transportation or movement of thirty (30) railroad freight cars loaded with, garbanzos (Mexican beans), from Houston, Texas, to Galveston, Texas, shipped by the Commodity Credit Corporation, consigned to the Pan American Commercial Company or their agent, at the rate of not to exceed 10 cars per day.

This special permit shall become effective at 12:01 a. m., March 1, 1945, and shall expire at 11:59 p. m., March 15, 1945.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of February 1945.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 45-3517; Filed, Mar. 5, 1945; 11:04 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 4599]

GINO NOMELLINI

In re: Estate of Gino Nomellini, deceased; File D-38-3299; E. T. sec. 10663.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Fidalma Nomellini, in and to the Estate of Gino Nomellini, deceased.

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Italy, namely,

National and Last Known Address

Fidalma Nomellini, Italy.

That such property is in the process of administration by Phil C. Katz, as Special Administrator of the Estate of Gino Nomellini, acting under the judicial supervision of the Superior Court of City and County of San Francisco, California;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, (Italy);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 13, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-3360; Filed, Mar. 2, 1945; 10:34 a. m.]

[Vesting Order 4600]

C. AUGUSTUS NORWOOD

In re: Estate of C. Augustus Norwood, deceased; File No. D–28–2305; E. T. sec. 3384.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marie Horn and Berta Horn in and to a sum of money in the amount of $200.00 together with accrued interest thereon on deposit in a savings account in the First National Bank of Boston, Boston, Massachusetts, in the name of C. Augustus Norwood, Account No. 27–14969,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Marie Horn, Germany.
Berta Horn, Germany.

That such property is in the process of administration by Elizabeth F. Norwood, executrix of the estate of C. Augustus Norwood, acting under the judicial supervision of the Probate Court, County of Norfolk, Commonwealth of Massachusetts;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 13, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3361; Filed, Mar. 2, 1945; 10:34 a. m.]

[Vesting Order 4601]

JOSEPH SCHNEIDER

In re: Estate of Joseph Schneider, also known as Jos. Schneider, deceased; File D–28–3786; E. T. sec. 6419.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Hugo Schneider, Erich Schneider, Martha Schneider, Gustav Schneider and Oswald Haude, and each of them, in and to the estate of Joseph Schneider, also known as Jos. Schneider, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hugo Schneider, Germany.
Erich Schneider, Germany.
Martha Schneider, Germany.
Gustav Schneider, Germany.
Oswald Haude, Germany.

That such property is in the process of administration by Jacob L. Tuechter, 19 Garfield Place, Cincinnati, Ohio, as Executor of the estate of Joseph Schneider, also known as Jos. Schneider, deceased, acting under the judicial supervision of the Probate Court of Hamilton County, Ohio;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold of otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 13, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3362; Filed, Mar. 2, 1945; 10:34 a. m.]

[Vesting Order 4602]

CAROLINE SCHRANK

In re: Estate of Caroline Schrank, deceased; File D–28–3547; E. T. sec. 5715.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: The sum of $1,040.48 in the possession and custody of the Treasurer of Cook County, Illinois, Depositary, which amount was deposited on December 31, 1941, pursuant to an order of the Probate Court of Cook County, Illinois, entered November 24, 1941, in the matter of the estate of Caroline Schrank, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anton Mueller, Germany.
Oscar Mueller, Germany.
Joseph P. P. Mueller, Germany.
Stephanie Mueller Albrecht, Germany.
Liesel Mueller Zeitlow (Zietlow), Germany.
Wilhelm Mueller, Germany.
Anna Mueller Sattler, Germany.
Sofie Oberle Rihm, Germany.
Marie Rihm Mueller, Germany.
Barbara Oberle Winter, Germany.
Adolph Oberle, Poland.
August Oberle, Poland.

That such property is in the process of administration by the Treasurer of Cook County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of Cook County, Chicago, Illinois;

And determining that Adolph Oberle and August Oberle, citizens or subjects of a designated enemy country, Germany, and within an enemy-occupied country, Poland, are nationals of a designated enemy country, Germany;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 14, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3416; Filed, Mar. 3, 1945; 11:02 a. m.]

[Vesting Order 4604]

FRANK FASCHING

In re: Estate of Frank Fasching, also known as Frank Farehing, deceased; File No. D–6–1142; E. T. sec. 10885.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of John Fasching and Anna Fasching, and each of them, in and to the estate of Frank Fasching, also known as Frank Farehing, deceased,

is property payable or deliverable to or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

John Fasching, Germany (Austria).
Ann Fasching, Germany (Austria).

That such property is in the process of administration by James F. Egan, as administrator of the estate of Frank Fasching, also known as Frank Farehing, acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity, or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3417; Filed, Mar. 3, 1945; 11:02 a. m.]

[Vesting Order 4605]

MANHATTAN CO., ET AL.

In re: Presidents and directors of the Manhattan Company as trustee and Isaac Stern as co-trustee under agreement with Julius Janowitz dated July 12, 1933, as amended, v. Emma S. Janowitz, et al.; File No. 017–16501.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Marianne Kis Biro, Sandor Foldi, Marta Szepessi Fuchs, Bela Gero, Endre Gero, Janos Gero, Paul Gero, Mrs. Lajos Gyorgy, also known as Margit Szepessi Gyorgy, Margit Hirsch, Margit Bartos Kandel, Laszlo Oliver Kis, also known as Laczy Kis, Irma Oppenheimer Nagel, Paula Szepessi Rooz, Risa (Rosa) Oppenheimer Rosenthal, Anna Gyorgy Schrecker, also known as Anny Gyorgy, Helen Katcher Steindoerfer, Lajos Szeqessi, also known as Lajos Szeposi, Cornelia Klein Pastor, and their issue, names unknown, and each of them, in and to the trusts established under a trust agreement dated July 12, 1933, as amended, between Julius Janowitz and the President and Directors of the Manhattan Company,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Hungary and Roumania, namely,

Nationals and Last Known Address

Marianne Kis Biro, and her issue, names unknown, Hungary.
Sandor Foldi, and his issue, names unknown, Hungary.
Marta Szepessi Fuchs, and her issue, names unknown, Hungary.
Bela Gero, and her issue, names unknown, Hungary.
Endre Gero, and his issue, names unknown, Hungary.
Janos Gero, and his issue, names unknown, Hungary.
Paul Gero, and his issue, names unknown, Hungary.
Mrs. Lajos Gyorgy, also known as Margit Szepessi Gyorgy, and her issue, names unknown, Hungary.
Margit Hirsch, and her issue, names unknown, Hungary.
Margit Bartos Kandel, and her issue, names unknown, Hungary.
Laszlo Oliver Kis, also known as Laczy Kis, and his issue, names unknown, Hungary.
Irma Oppenheimer Nagel, and her issue, names unknown, Hungary.
Paula Szepessi Rooz, and her issue, names unknown, Roumania.
Risa (Rosa) Oppenheimer Rosenthal, and her issue, names unknown, Hungary.
Anna Gyorgy Schrecker, also known as Anny Gyorgy, and her issue, names unknown, Hungary.
Helen Katcher Steindoerfer, and her issue, names unknown, Hungary.
Lajos Szeqessi, also known as Lajos Szeposi, and his issue, names unknown, Hungary.
Cornelia Klein Pastor, and her issue, names unknown, Hungary.

That such property is in the process of administration by the President and Directors of the Manhattan Company, and Isaac Stern, as Trustees, acting under the judicial supervision of the Supreme Court, County of New York, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries (Hungary and Roumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice

of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-3418; Filed, Mar. 3, 1945; 11:02 a. m.]

[Vesting Order 4606]

EDWARD PAUL

In re: Estate of Edward Paul, deceased; File No. D-66-1663; E. T. sec. 10231.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Josefina Pawlicek and Karl Paulin, and each of them, in and to the Estate of Edward Paul, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Josefina Pawlicek, Germany (Austria).
Karl Paulin, Germany (Austria).

That such property is in the process of administration by Hilda Paul, Executrix, acting under the judicial supervision of the Surrogate's Court, Queens County, New York State;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-3419; Filed, Mar. 3, 1945; 11:02 a. m.]

[Vesting Order 4607]

ADOLPH TRAIGAR

In re: Estate of Adolph Traigar, deceased; File No. D-65-188; E. T. sec. 11930.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: all right, title, interest and claim of any kind or character whatsoever of Shaindla Isaackovna Buckspun in and to the estate of Adolph Traigar, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Roumania, namely,

National and Last Known Address

Shaindla Isaackovna Buckspun, Roumania.

That such property is in the process of administration by William Friedman, as Executor of the Estate of Adolph Traigar, deceased, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country, Roumania;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 15, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-3420; Filed, Mar. 3, 1945; 11:02 a. m.]

[Vesting Order 4615]

VICTOR BRESLER

In re: Estate of Victor Bresler, deceased; File D-28-2098; E. T. sec. 2831.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Annie B. Schneider and Edward Schneider, and each of them, in and to the estate of Victor Bresler, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Annie B. Schneider, Germany.
Edward Schneider, Germany.

That such property is in the process of administration by Victor Schneider and Detroit Trust Company, Detroit, Michigan, as Administrators with the Will Annexed of the estate of Victor Bresler, deceased, acting under the judicial supervision of the Probate Court for the County of Wayne, Michigan;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-3421; Filed, Mar. 3, 1945; 11:02 a. m.]

[Vesting Order 4616]

APPOLONIA DIETRICH

In re: Estate of Appolonia Dietrich, deceased; File No. D-28-8512; E. T. sec. 10045.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Anna Mehlig, and the husband and descendants, names unknown, of Anna Mehlig, and each of them, in and to the Estate of Appolonia Dietrich, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Anna Mehlig, Oberstrasse 211, Waldalgesheim U/Bingerbruck, Germany.

The husband and descendants, names unknown, of Anna Mehlig, Germany.

That such property is in the process of administration by Norman F. Marx, as executor, acting under the judicial supervision of the Surrogate's Court, Erie County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. D. Doc. 45-3422; Filed, Mar. 3, 1945; 11:02 a. m.]

[Vesting Order 4617]

SAM LAZAROWITZ

In re: Estate of Sam Lazarowitz, also known as S. Lazarowich, deceased; File D-66-1448; E. T. sec. 9421.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Eva Brecker, Sam Lazarowitz, Jacob Lazarowitz, Aaron Lazarowitz and Hyman Lazarowitz, and each of them, in and to the Estate of Sam Lazarowitz, also known as S. Lazarowich, deceased,

is property payable or deliverable to, or claimed by, nationals of designated enemy countries, Roumania and Germany, namely,

Nationals and Last Known Address

Eva Brecker, Roumania.
Sam Lazarowitz, Germany (Austria).
Jacob Lazarowitz, Germany (Austria).
Aaron Lazarowitz, Roumania.
Hyman Lazarowitz, Roumania.

That such property is in the process of administration by Leo Stern, as administrator of the Estate of Sam Lazarowitz, also known as S. Lazarowich, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

And determining that to the extent that such nationals are persons not within designated enemy countries, the national interest of the United States requires that such persons be treated as nationals of designated enemy countries (Roumania and Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45-3423; Filed, Mar. 3, 1945; 11:03 a. m.]

[Vesting Order 4618]

ANNA WINDOLPH MAGNUSSON

In re: Estate of Anna Windolph Magnusson, also known as Anna W. Magnusson and Anna Magnusson, deceased; File D-28-8823; E. T. sec. 10833.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property describerd as follows: All right, title, interest and claim of any kind or character whatsoever of Friedrick Windolph and Antonina Kessler, and each of them, in and to the Estate of Anna Windolph Magnusson, also known as Anna W. Magnusson and Anna Magnusson, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Friedrick Windolph, Germany.
Antonina Kessler, Germany.

That such property is in the process of administration by Marian Elizabeth Vore, as Executrix of the Estate of Anna Windolph Magnusson, also known as Anna W. Magnusson and Anna Magnusson, acting under the judicial supervision of the Superior Court of San Diego County, San Diego, California;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3424; Filed, Mar. 3, 1945; 11:03 a. m.]

[Vesting Order 4619]

HENRY SCHULTZ

In re: Estate of Henry Schultz, also known as Henry Schulz, deceased; File D–28–8543; E. T. sec. 10123.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Frieda Schulz Kommick and Rudolf Schulz, and each of them, in and to the estate of Henry Schultz, also known as Henry Schulz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Frieda Schulz Kommick, Germany.
Rudolf Schulz, Germany.

That such property is in the process of administration by W. J. Gareis, 116 North Franklin Street, New Ulm, Minnesota, as Administrator of the estate of Henry Schultz, also known as Henry Schulz, deceased, acting under the judicial supervision of the Probate Court of Brown County, Minnesota;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3425; Filed, Mar. 3, 1945; 11:03 a. m.]

[Vesting Order 4620]

MINNIE M. SCHULZ

In re: Estate of Minnie M. Schulz, deceased; File No. D–28–3489; E. T. sec. 5578.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ida Geyer, Hermann Redmer and Kurt Geyer, and each of them, in and to the Estate of Minnie M. Schulz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely:

Nationals and Last Known Address

Ida Geyer, Germany.
Hermann Redmer, Germany.
Kurt Geyer, Germany.

That such property is in the process of administration by Otto F. Petersen, as Executor of the Estate of Minnie M. Schulz, deceased, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3426; Filed, Mar. 3, 1945; 11:03 a. m.]

[Vesting Order 4621]

JACOB STAUFF

In re: Estate of Jacob Stauff, deceased; File No. D–28–7967; E. T. sec. 8862.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Heinrich Dahlem and Kathrina Dahlem, and each of them, in and to the estate of Jacob Stauff, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Heinrich Dahlem, Germany.
Kathrina Dahlem, Germany.

That such property is in the process of administration by Otto F. Petersen, as Executor of the Estate of Jacob Stauff, deceased, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3427; Filed, Mar. 3, 1945; 11:03 a. m.]

[Vesting Order 4622]

SIMON STRAUSS

In re: Estate of Simon Strauss, deceased; File D–28–4179; E. T. sec. 7248.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Zillie Strauss and Amalie Strauss Hilb, and each of them, in and to the estate of Simon Strauss, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Zillie Strauss, Germany.
Amalie Strauss Hilb, Germany.

That such property is in process of administration by Lucy Strauss, % Hotel Wolford, Danville, Illinois, as executrix of the estate of Simon Strauss, Deceased, acting under the judicial supervision of the Probate Court of Vermilion County, Illinois;

And determining that the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3428; Filed, Mar. 3, 1945; 11:04 a. m.]

[Vesting Order 4623]

CENTRAL HANOVER BANK AND TRUST CO., ET AL.

In re: In the Matter of the Judicial Settlement of the Account of Proceedings of Central Hanover Bank and Trust Company as Trustee under a certain Trust Indenture made the twelfth day of March, 1931, between Hugo Volkening, as Grantor, and Central Hanover Bank and Trust Company, as Trustee; File D–66–1769; E. T. sec. 10600.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows:

All right, title, interest and claim of any kind or character whatsoever of Walter Volkening, Alfred Volkening, Marie Mueller-Volkening, Bertha Mueller-Volkening, Clara V. Boeckman, Grete Vogel, Thea Sommerer, Otto Volkening, Rainer Boeckman, Helmuth Vogel and Walter Vogel, and each of them, in and to the trust established under a trust indenture executed on March 12, 1931 by Hugo Volkening, as Grantor, and Central Hanover Bank and Trust Company, as Trustee,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Walter Volkening, Germany.
Alfred Volkening, Germany.
Marie Mueller-Volkening, Germany.
Bertha Mueller-Volkening, Germany.
Clara V. Boeckman, Germany.
Grete Vogel, Germany.
Thea Sommerer, Germany.
Otto Volkening, Germany.
Rainer Boeckman, Germany.
Helmuth Vogel, Germany.
Walter Vogel, Germany.

That such property is in the process of administration by the Central Hanover Bank and Trust Company, as Trustee, acting under the judicial supervision of the Supreme Court of the State of New York, in and for the County of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 17, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3429; Filed, Mar. 3, 1945; 11:04 a. m.]

[Vesting Order 4627]

KARL BRANDES

In re: Estate of Karl Brandes, also known as Carl Brandes, deceased; File No. D–28–8974; E. T. sec. 11341.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding;

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Else Sanders and Louise Muller, and each of them, in and to the Estate of Karl Brandes, also known as Carl Brandes, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Else Sanders, Germany.
Louise Muller, Germany.

That such property is in the process of administration by Martha Schmitz, Administratrix, acting under the judicial supervision of the Surrogate's Court, Queens County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, Germany;

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on February 20, 1945.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 45–3430; Filed, Mar. 8, 1945; 11:04 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Notice and Order of Termination No. 14]

HEUER TRUCK LINES, INC.

POSSESSION, CONTROL AND OPERATION OF MOTOR CARRIERS

Pursuant to Executive Order 9462 (9 F.R. 10071), I hereby determine that possession and control of the motor carrier transportation system of Heuer Truck Lines, Inc., by the United States is no longer necessary for the successful prosecution of the war, and it is hereby ordered, that:

1. *Termination of possession and control.* Possession and control by the United States of the motor carrier transportation system of Heuer Truck Lines, Inc., 710 South 3rd Avenue, Marshalltown, Iowa, including all real and personal property and other assets of said motor carrier, taken and assumed pursuant to Executive Order 9462 and the Notice and Order of the Director of the Office of Defense Transportation issued August 11, 1944, is hereby terminated and relinquished as of 12:01 o'clock A. M., March 5, 1945. No further action shall be required to effect the termination of Government control and relinquishment of possession hereby ordered.

2. *Communications.* Communications concerning this order should be addressed to the Office of Defense Transportation, Washington 25, D. C., and should refer to "Notice and Order of Termination No. 14."

Issued at Washington, D. C., this 3d day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45–3390; Filed, Mar. 2, 1945; 1:39 p. m.]

[Supp. Order ODT 3, Rev. 552]

CONNECTICUT, DELAWARE, ILLINOIS, INDIANA, MAINE, MARYLAND, MASSACHUSETTS, MICHIGAN, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, OHIO, PENNSYLVANIA, RHODE ISLAND, VERMONT, VIRGINIA, WEST VIRGINIA, AND THE DISTRICT OF COLUMBIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in inter-

[1] Filed as part of the original document.

est to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

George E. Wilcox, doing business as George's Moving Service, Albany, N. Y.
Charles A. Grenier & John J. Sheehan, Jr., copartners, doing business as Grenier & Sheehan Moving & Trucking Co., Troy, N. Y.
Theodore Carroll, doing business as Carroll Moving Service, Albany, N. Y.
J. J. Lanahan, Inc., Albany, N. Y.
Wilfred J. Bushey, Plattsburg, N. Y.

[F. R. Doc. 45-3391; Filed, Mar. 2, 1945; 1:40 p. m.]

[Supp. Order ODT 3, Rev. 558]

CALIFORNIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Anthony Jesse Joseph, doing business as Golden Gate & Veterans Transportation Co., San Francisco, Calif.
Bekins Van & Storage Co., San Francisco, Calif.
San Francisco Storage Co., San Francisco, Calif.
N. E. Lloyd, doing business as Lloyd Van & Storage Co., San Francisco, Calif.

[F. R. Doc. 45-3392; Filed, Mar. 2, 1945; 1:40 p. m.]

[Supp. Order ODT 3, Rev. 559]

CALIFORNIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the follow-

[1] Filed as part of the original document.

ing provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

E. J. Goodwin, doing business as City Transfer & Storage Co., Vallejo, Calif.
E. J. Goodwin, doing business as Shinns Transfer & Storage Co., Vallejo, Calif.
H. W. McGee, doing business as McGee's Express, Vallejo, Calif.
J. R. Busby, doing business as Victory Movers, Vallejo, Calif.
R. W. Brown, doing business as Vallejo Transfer & Storage Co., Vallejo, Calif.
Bert Hussey, doing business as Hussey Bros., Vallejo, Calif.

[F. R. Doc. 45-3393; Filed, Mar. 2, 1945; 1:40 p. m.]

[Supp. Order ODT 3, Rev. 560]

TENNESSEE, GEORGIA AND ALABAMA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his

[1] Filed as part of the original document.

predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Arrow Transfer & Storage Company, Chattanooga, Tenn.
Chattanooga Transfer & Storage Company, Chattanooga, Tenn.
Crabtree Transfer & Storage Company, Chattanooga, Tenn.
J. S. Lamb, doing business as Main Street Transfer & Storage Company, Chattanooga, Tenn.

[F. R. Doc. 45-3394; Filed, Mar. 2, 1945; 1:39 p. m.]

[Supp. Order ODT 3, Rev. 561]

INDIANA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war; *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

American Transport Company, Inc., Marion, Ind.
E. E. Mills Trucking Co., Inc., South Bend, Ind.

F. R. Doc. 45-3395; Filed, Mar. 2, 1945; 1:39 p. m.]

[Supp. Order ODT 3, Rev. 562]

SALT LAKE CITY AND OGDEN, UTAH

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and prac-

[1] Filed as part of the original document.

tices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 7, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 3d day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

George A. Sims and M. K. Sims, copartners, doing business as Salt Lake Transfer Company, Salt Lake City, Utah.

Fuller-Toponce Truck Company, Ogden, Utah.

[F. R. Doc. 45-3396; Filed, Mar. 2, 1945; 1:39 p. m.]

[Supp. Order ODT 3, Rev. 536]

NORTH CAROLINA, VIRGINIA, MARYLAND, PENNSYLVANIA, SOUTH CAROLINA, AND DISTRICT OF COLUMBIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 9, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as

[1] Filed as part of the original document.

the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Roy Lee Barnes and Eddie Lewis Barnes, copartners, doing business as Barnes Truck Line, Nashville, N. C.
B. J. Forbes, doing business as Forbes Transfer Co., Wilson, N. C.

[F. R. Doc. 45-3475; Filed, Mar. 3, 1945; 2:11 p. m.]

[Supp. Order ODT 3, Rev. 538]

GEORGIA

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778) a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 9, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[1] Filed as part of the original document.

APPENDIX 1

Walter E. Peacock, doing business as Peacock Transfer Company, Waycross, Ga.
Isaac Taylor Sweat, doing business as Sweat Transfer & Storage Company, Waycross, Ga.

[F. R. Doc. 45-3476; Filed, Mar. 3, 1945; 2:11 p. m.]

[Supp. Order ODT 3, Rev. 555]

NEW HAMPSHIRE, MAINE, VERMONT, MASSACHUSETTS, RHODE ISLAND, CONNECTICUT AND NEW YORK

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to per-

form any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington, 25, D. C.

This order shall become effective March 9, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

C. O. Bonner, Inc., Concord, N. H.
Alvah T. Longley, Concord, N. H.
Antonio Lamy, doing business as Tony A. Lamy, Concord, N. H.

[F. R. Doc. 45-3477; Filed, Mar. 3, 1945; 2:12 p. m.]

[Supp. Order ODT 3, Rev. 557]

BIRMINGHAM AND MONTGOMERY, ALA.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582; 9 F.R. 2793, 3264, 3357, 6778), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 9, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Alabama Highway Express, Inc., Birmingham, Ala.
Baggett Transportation Company, Birmingham, Ala.
Jack Cole Company, Inc., Birmingham, Ala.
Deaton Truck Lines, Inc., Birmingham, Ala.
E. A. Murray, doing business as Murray Motor Transport, Birmingham, Ala.
Howard Hall Company, Inc., Birmingham, Ala.
Malone Freight Lines, Inc., Birmingham, Ala.
Sullivan, Long & Hagerty, Inc., Bessemer, Ala.
Mercury Express, Inc., Birmingham, Ala.

[F. R. Doc. 45-3478; Filed, Mar. 3, 1945; 2:12 p. m.]

[1] Filed as part of the original document.

[Supp. Order ODT 6A-91]

NEW ORLEANS, LA.

COORDINATED OPERATIONS OF CERTAIN CARRIERS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 6A, as amended (8 F.R. 8757, 14582; 9 F.R. 2794), a copy of which plan is attached hereto as Appendix 2,[1] and

It appearing that the proposed coordination of operations is necessary in order to conserve and providently utilize vital transportation equipment, materials, and supplies; and to provide for the continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved and the persons named in Appendix 1 hereof are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers shall file forthwith a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or schedules, or appropriate supplements to filed tariffs or schedules, setting forth any changes in rates, charges, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs, schedules, or supplements, to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper, or to exempt or release any participant in the plan from the requirements of any order of the Office of Defense Transportation now or hereafter in effect. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be available for examination and inspection at all reasonable times by any accredited representative of the Office of Defense Transportation.

6. Withdrawal of a carrier from participation in the plan for joint action hereby approved shall not be made without prior approval of the Office of Defense Transportation.

7. The provisions of this order shall be binding upon any successor in interest to any carrier named in this order. Upon a transfer of any operation involved in this order, the successor in interest and the other carriers named in this order forthwith shall notify, in writing, the Office of Defense Transportation of the transfer and, unless and until otherwise ordered, the successor in interest shall perform the functions of his predecessor in accordance with the provisions of this order.

8. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

9. Communications concerning this order should refer to it by the supplementary order number which appears in the caption hereof, and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 9, 1945, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 5th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Angelo Centineo, Inc., New Orleans, La.
John Centineo, New Orleans, La.

[F. R. Doc. 45-3479; Filed, Mar. 3, 1945; 2:12 p. m.]

[Supp. Order ODT 2-12]

POTTSVILLE AND ASHLAND, PA.

SUBSTITUTION OF MOTOR VEHICLE SERVICE FOR RAIL PASSENGER SERVICE

Upon consideration of the application for authority to substitute motor vehicle service for certain railroad passenger service filed with this Office by the Reading Company, as contemplated by General Order ODT 2 (7 F.R. 2952), and good cause appearing therefor, *It is hereby ordered*, That:

1. The Reading Company is authorized to substitute motor vehicle bus service between Pottsville, Pennsylvania, and Ashland, Pennsylvania, to be operated by the Reading Transportation Company, a subsidiary of the Reading Company, for the passenger, mail, express and baggage train service now operated as trains numbered 1 and 10 between Pottsville, Pennsylvania, and Shamokin, Pennsylvania.

2. The Reading Company and the Reading Transportation Company, if and to the extent required by law, shall apply for and obtain from the appropriate regulatory bodies authority to suspend such rail service and to institute the motor vehicle bus service which is to be conducted, and if and to the extent required by law, both carriers shall file with the appropriate regulatory bodies, and publish in accordance with law, and continue in effect until further notice, tariffs or appropriate supplements to filed tariffs, setting forth any changes in the fares, charges, operations, rules, regulations, and practices which may be necessary to accord with the provisions of this order; and forthwith shall apply to such regulatory bodies for special permission for such tariffs or supplements to become effective on one day's notice.

3. Communications concerning this order should refer to Supplementary Order ODT 2-12, and should be addressed to the Office of Defense Transportation, Washington 25, D. C.

This order shall become effective March 5, 1945.

Issued at Washington, D. C., this 5th day of March 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-3503; Filed, Mar. 5, 1945; 11:01 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 136, Order 417]

INTERNATIONAL HARVESTER CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 417 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. International Harvester Company. Docket No. 6083-136.25a-173.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

(a) The International Harvester Company, 180 N. Michigan Avenue, Chicago, Illinois, is authorized to sell each International motor truck containing a chassis described in subparagraph (1) at a price not to exceed the applicable list price in subparagraph (1), adjusted as

[1] Filed as part of the original document.

provided in that subparagraph, plus the applicable allowances in subparagraph (2):

(1) *List price.* The following applicable list price, f. o. b. factory, to which shall be applied the seller's discount in effect on March 31, 1942 to the applicable class of purchaser:

Chassis model No.	Wheelbase (inches)	List price f. o. b. factory
K-5	135	$900
	147	920
	159	940
	177	960
	195	995
K-7	134	1,585
	146	1,605
	158	1,625
	176	1,645
	212	1,730
	230	1,770
	248	1,860
K-8	137	2,400
	149	2,420
	161	2,440
	179	2,460
	197	2,480
	251	2,610

(2) *Allowances.* (i) A charge for extra, special and optional equipment which shall not exceed the list price, or established price, less the discount in effect on March 31, 1942 for such equipment when sold as original equipment, except that for cab, Model HF, the charge shall not exceed the list price of $120, less the discount in effect on March 31, 1942.

(ii) Allowance to cover handling and delivery expense computed in accordance with seller's method in effect on March 31, 1942.

(iii) Allowance to cover freight expense based on current freight rates and computed in accordance with the seller's method in effect on March 31, 1942.

(iv) Allowance to cover federal tires-weight tax and other federal excise tax, and state or local taxes on the vehicle being sold, computed in accordance with seller's method in effect on March 31, 1942.

(b) A reseller of International motor trucks may sell, delivered at place of business, each International truck containing a chassis described in subparagraph (1) below at a price not to exceed the total of the applicable list price in that subparagraph and applicable allowances in subparagraph (2) below, less the discounts the reseller had in effect on March 31, 1942:

(1) The following applicable list price f. o. b. factory:

Chassis model No.	Wheelbase (inches)	List price f. o. b. factory
K-5	135	$900
	147	920
	159	940
	177	960
	195	995
K-7	134	1,585
	146	1,605
	158	1,625
	176	1,645
	212	1,730
	230	1,770
	248	1,860
K-8	137	2,400
	149	2,420
	161	2,440
	179	2,460
	197	2,480
	251	2,610

(2) *Allowances.* (i) An allowance for extra, special and optional equipment which shall not exceed the allowance the reseller had in effect on March 31, 1942 for such equipment except that the allowance for cab, Model HF, shall not exceed the list price of $120 less the discount in effect on March 31, 1942.

(ii) A charge for transportation which shall not exceed the charge the International Harvester Company may make for the transportation of the truck to the place of business of the reseller.

(iii) Allowance to include federal, state and local taxes on his purchase, and sale, or delivery, of the applicable truck model, computed in accordance with the reseller's method in effect on March 31, 1942.

(iv) The reseller's charge in effect on March 31, 1942, for handling and delivery.

(v) The dollar amount of all other charges or allowances which the reseller had in effect on March 31, 1942.

(c) A reseller of International motor trucks that cannot establish a price under paragraph (b) because it was not in business on March 31, 1942, shall determine its maximum price by adding to the list price in subparagraph (1) of paragraph (b) the following applicable charges:

(1) *Charges.* (i) The original equipment retail charge that the International Harvester Company suggested on March 31, 1942 be made by resellers for the extra, special or optional equipment attached to the truck as original equipment, except that for cab, Model HF, the charge shall not exceed the list price of $120, less the discount in effect on March 31, 1942.

(ii) A charge for transportation which shall not exceed the charge the International Harvester Company may make for the transportation of the truck from the factory to the place of business of the reseller.

(iii) A charge equal to the charge made by the International Harvester Company, in accordance with the method that manufacturer had in effect on March 31, 1942, to cover federal tires-weight and other federal excise taxes.

(iv) A charge equal to the reseller's expense for payment of state and local taxes on the purchase, sale or delivery of the truck.

(v) A charge equal to the reseller's actual expense for handling and delivery of the truck.

(d) A reseller of International trucks in any of the territories or possessions of the United States is authorized to sell each of the trucks described in paragraph (b) at a price not to exceed the maximum price established in paragraph (b) or (c), whichever is applicable, to which it may add a sum equal to the expenses incurred by or charged to it, for payment of territorial and insular taxes on the purchase, sale or introduction of the truck; export premiums; boxing and crating for export purposes; marine and war risk insurance; and landing, wharfage, and terminal operations.

(e) All requests not granted herein are denied.

(f) This order may be amended or revoked by the Administrator at any time.

(g) This order supersedes Order No. 210 under Maximum Price Regulation 136, as amended.

NOTE: The manufacturer's maximum price under paragraph (a) is for a truck equipped with natural rubber tires delivered to it before April 18, 1944. Where the manufacturer has an established price in accordance with § 1390.6 of Maximum Price Regulation 136, as amended, which is different than a price permitted under paragraph (a) because the truck is equipped with synthetic rubber tires delivered to it on or after April 18, 1944, or because of any other substantial specification change or material substitution in the truck, the reseller may add to its price under paragraph (b), (c) or (d) any increase in price to it over the price it would otherwise pay under paragraph (a) plus its customary markup on such a cost increase, but in the case of a decrease in the price under paragraph (a) the resel'er must reduce its price under paragraph (b), (c) or (d) by the amount of the decrease and its customary markup on such an amount.

This order shall be effective March 2, 1945.

Issued this 2d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3405; Filed, Mar. 2, 1945; 4:05 p. m.]

[MPR 120, Amdt. 2 to Order 1254]

CLARK-MCLANE COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

Amendment No. 2 to Order No. 1254 under Maximum Price Regulation No. 120. Bituminous coal delivered from mine or preparation plant. Docket No. 6053-120.207 (a)-177.

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with §§ 1340.210 (a) (6) and 1340.207 (a) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1254 under Maximum Price Regulation No. 120 is hereby amended by inserting in the first paragraph thereof the word and numerals "and 1340.207 (a)" between the numerals "1340.210 (a) (6)" and the word "of".

This Amendment No. 2 to Order No. 1254 under Maximum Price Regulation No. 120 shall become effective as of February 13, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3460; Filed, Mar. 3, 1945; 11:22 a. m.]

[MPR 136, Amdt. 4 to Rev. Order 104]

FORD MOTOR CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment 4 to Revised Order 104 under Maximum Price Regulation 136, as amended. Machines and parts and machinery services. Ford Motor Company. Docket No. 3136-324.

For the reasons set forth in an opinion issued simultaneously herewith, and

filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

1. A new paragraph (a–1) is added to Revised Order 104 under Maximum Price Regulation 136, as amended, to read as follows:

(a–1) (1) This paragraph authorizes a maximum price for the Ford Motor Company's sale f. o. b. Detroit, Michigan, the basing point, for each of the Ford truck models referred to in paragraph (a) when sold on a knocked down basis. The maximum price for the knocked down model shall be the maximum net selling price under paragraph (a) for the complete unit less the following deductions:

(i) When chassis is delivered as knocked down material	$55.00
(ii) When cab is delivered as knocked down material	28.50
(iii) When cowl is delivered as knocked down material	7.00
(iv) When closed drive-away front-end is delivered as knocked down material	7.00
(v) When stake body is delivered as knocked down material	18.00

(2) When the Ford Motor Company makes a sale of a Ford truck model on a knocked down basis, including a knocked down chassis, in accordance with this paragraph (a–1), in addition to the price it may charge under subparagraph (1) above, it may charge an amount not to exceed 2.6% of the maximum net selling price in subparagraph (1) to cover additional expense of loading the knocked down vehicle in railroad cars for shipment.

2. All requests not granted herein are denied.

3. This amendment may be revoked or amended by the Administrator at any time.

This amendment shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–3451; Filed, Mar. 3, 1945; 11:23 a. m.]

[MPR 136, Amdt. 1 to Rev. Order 194]

POTDEVIN MACHINE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

Paragraph (a) of Revised Order No. 194 under Maximum Price Regulation 136, as amended, is amended to read as follows:

(a) The maximum prices for sales of roll converting machinery produced in Plant No. 1 by the Potdevin Machine Company, Brooklyn, New York, shall be determined by multiplying by 109.5 percent the maximum prices in effect to a purchaser of the same class on February 13, 1944.

This amendment shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–3452; Filed, Mar. 3, 1945; 11:23 a. m.]

[MPR 136, Amdt. 2 to Rev. Order 270]

FORD MOTOR CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment 2 to Revised Order 270 under Maximum Price Regulation 136, as amended. Machines and parts and machinery services. Ford Motor Company. Docket No. 3136–451.

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, Executive Orders 9250 and 9328, and § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:*

1. A new paragraph (a–1) is added to Revised Order 270 under Maximum Price Regulation 136, as amended, to read as follows:

(a–1) (1) This paragraph authorizes a maximum price for the Ford Motor Company's sale f. o. b. Detroit, Michigan, the basing point, for each of the Ford models referred to in paragraph (a) when sold on a knocked down basis. The maximum price for the knocked down model shall be the maximum net selling price under paragraph (a) for the complete unit less the following deductions:

(i) When chassis is delivered as knocked down material	$55.00
(ii) When cab is delivered as knocked down material	28.50
(iii) When cowl is delivered as knocked down material	7.00
(iv) When closed drive-away front-end is delivered as knocked down material	7.00
(v) When stake body is delivered as knocked down material	18.00

(2) When the Ford Motor Company makes a sale of a Ford model on a knocked down basis, including a knocked down chassis, in accordance with this paragraph (a–1), in addition to the price it may charge under subparagraph (1) above, it may charge an amount not to exceed 2.6% of the maximum net selling price in subparagraph (1) to cover additional expense of loading the knocked down vehicle in railroad cars for shipment.

2. All requests not granted herein are denied.

3. This amendment may be revoked or amended by the Administrator at any time.

This amendment shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–3453; Filed, Mar. 3, 1945; 11:23 a. m.]

[MPR 188, Order 3416]

FERUM CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.158 of Maximum Price Regulation 188, *It is ordered:*

(a) The maximum net prices f. o. b. factory for sales of the following commodities by the Ferum Company to jobbers shall be:

	Per gross
No. 226. 1" size heavy type steel corner brace—without screws	$0.80
No. 226. 1½" size heavy type steel corner brace—without screws	1.10

(b) The maximum net prices for sales by jobbers of the following commodities manufactured by the Ferum Company shall be:

	Per gross
No. 226. 1" size heavy type steel corner brace—without screws	$1.05
No. 226. 1½" size heavy type steel corner brace—without screws	1.45

(c) The maximum net prices for sales by retailers of the following commodities manufactured by the Ferum Company shall be:

	Each
No. 226. 1" size heavy type steel corner brace—with screws	$0.02
No. 226. 1½" size heavy type steel corner brace—with screws	.02

(d) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(e) The Ferum Company shall notify each of its purchasers at or before the time of the first invoice, of the maximum prices established by this order on sales by the manufacturer to each purchaser and the maximum price established for such purchaser for resale.

(f) The Ferum Company shall print the following in a conspicuous place on the box containing the corner braces subject to this order:

On No. 226—1" size—"Maximum retail price with screws—$0.02 each"
On No. 226—1½" size—"Maximum retail price with screws—$0.02 each"

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45–3448; Filed, Mar. 3, 1945; 11:22 a. m.]

[MPR 188, Order 3417]

POSTURITE JUVENILE CHAIR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles of furniture manufactured by Posturite Juvenile Chair Company, 885 East 149th Street, Bronx, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Manufacturer's maximum price to persons, other than retailers, who sell from the manufacturer's stock	Maximum price for sales to retailers by the manufacturer, and by persons, other than retailers, who sell from the manufacturer's stock
Juvenile rocker	1011	$6.38	$7.50

These prices are f. o. b. factory and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the article described in the manufacturer's application dated January 26, 1945.

(2) For sales by the manufacturer the maximum prices apply to all sales and deliveries since the effective date of MPR 188. For sales by persons, other than retailers, who sell from the manufacturer's stock, the maximum prices apply to all sales and deliveries after the effective date of this order.

(3) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth pricing method, § 1499.158, of MPR 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) At the time of, or prior to, the first invoice to each purchaser, other than a retailer, who sells from the manufacturer's stock, the manufacturer shall notify the purchaser of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(c) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 5th day of March 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3449; Filed, Mar. 3, 1945; 11:22 a. m.]

[MPR 260, Order 637]

INTERNATIONAL TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered,* That:

(a) International Tobacco Co., 437 11 Ave., New York 18, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
				Cents
Columbus	Clubman	25	$330.00	44
	Perfecto Habano	25	203.50	28
	Americans	25	212.25	28
	Seleccion Especial	50	161.50	20
	Corona Chicas	25	247.50	33

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3454; Filed, Mar. 3, 1945; 11:24 a. m.]

[MPR 260, Order 638]

FREDERICK'S CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered,* That:

(a) Frederick's Cigar Company, 123 High Street, Pottstown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Frederick's Hand Made		50	*Per M* $48	*Cents* .6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the

same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 3, 1945.

Issued this 2d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3455; Filed, Mar. 3, 1945; 11:24 a. m.]

[MPR 260, Order 639]

G. & S. CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Lloyd G. Graham & N. M. Shellenberger, dba G. & S. Cigar Company, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail prise set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Glendale Habanas.	Straights	50	$56	7
Graschell	Londres	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3456; Filed, Mar. 3, 1945; 11:24 a. m.]

[MPR 260, Order 640]

JOHN D. DEARDORFF

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) John D. Deardorff, 52 W. Maple Street, Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Kraco	El Kraco Pin Top.	50	$48	6
	Perfecto	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class, may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3457; Filed, Mar. 3, 1945; 11:25 a. m.]

[MPR 260, Order 641]

CLAUDE H. SITLER

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum

Price Regulation No. 260; *It is ordered,* That:

(a) Claude H. Sitler, East Prospect, Pa. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy and receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Blue Sky	Perfecto	50	$56	7

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3458; Filed, Mar. 3, 1945; 11:25 a. m.]

[MPR 260, Order 642]

LEO ABRAHAM

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended; *It is ordered,* That:

(a) Mr. Leo Abraham, 622 North Water St., Milwaukee, Wis. (hereinafter called "importer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
				Cents
Maximino	Habaneros	50	$120.00	15
	Habaneros Number 11.	50	142.00	3 for 55
	Londres Chicos	50	148.00	20
	Imperial Londres	50	161.50	20
	Havana Club	50	161.50	20
	Rotschilds Sel	50	161.50	20
	Petit-Cetros	50	190.00	25
	Londres Special	50	190.00	25
	Cremas Finas	25	212.50	28
	Coronas	25	297.00	39
	Diplomaticos	25	247.50	33
	Londres (De Luxe)	25	207.50	28
	Rotschilds (De Luxe).	50	190.00	25
	Petit-Cetros (De Luxe).	50	203.25	28
	Cremas (De Luxe)	25	225.00	30
	Corona (De Luxe)	25	324.50	44
	Diplomaticos De Luxe).	25	225.00	30

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3459; Filed, Mar. 3, 1945; 11:25 a. m.]

[MPR 260, Order 643]

MIDWOOD TOBACCO CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102a of Maximum Price Regulation No. 260, as amended, *It is ordered,* That:

(a) Midwood Tobacco Co., 1463 Flatbush Ave., Brooklyn 10, N. Y. (hereinafter called "importer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand, frontmark and packing of the following imported cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Frontmark	Packing	Maximum list price	Maximum retail price
La Gloria Cubana	Americans	25	$212.50	$0.28
	Belvederes	25	203.25	.28
	Champions	25	245.00	3 for 1.00
	Coronas	25	385.00	.55
	Coronas Imperial.	25	425.50	.55
	Eloisas	25	240.00	.33
	Magnificos	25	300.25	.39
	Perfectos	25	246.25	.33
	Perfecto Especial.	25	285.00	.38
	Petit Corona	25	275.00	3 for 1.10

(b) The importer and wholesalers shall grant, with respect to their sales of each brand and frontmark of imported cigars for which maximum prices are established by this order, the discounts they customarily granted during March 1942 on their sales of imported cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the importer or a wholesaler during March 1942 on sales of imported cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and frontmark of cigars priced by this order and shall not be reduced. If a brand or frontmark of imported cigars for which maximum prices are established by this order is of a price class not sold by the importer or the particular wholesaler during March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) during March 1942 by his most closely competitive seller of the same class on sales of imported cigars of the same price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and frontmark of imported cigars for which maximum prices are established by this order, the importer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and frontmark of imported cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260, as amended.

(d) Unless the context otherwise requires, the provisions of Maximum Price Regulation No. 260, as amended, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3460; Filed, Mar. 3, 1945; 11:26 a. m.]

[MPR 260, Order 644]

ROYAL CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Clarence Frey, dba Royal Cigar Co., 41 W. Main Street, Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
Royal	Panatella	50	$40	5

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3461; Filed, Mar. 3, 1945; 11:26 a. m.]

[MPR 260, Order 645]

ALBERT D. FREY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Albert D. Frey, 665 West Broadway, Red Lion, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
			Per M	*Cents*
El Kraco	Londres	50	$56	7
	Perfecto	50	48	6

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which

maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 5, 1945.

Issued this 3d day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3462; Filed, Mar. 3, 1945; 11:26 a. m.]

[Supp. Order 94, Order 33]

UNITED STATES TREASURY DEPARTMENT, PROCUREMENT DIVISION

SPECIAL MAXIMUM PRICES FOR SCRAP WHOLE PNEUMATIC TIRE CASINGS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order No. 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which scrap whole pneumatic tire casings may be sold by the War Department, the Navy Department, and the Procurement Division of the Treasury Department of the United States:

(b) *Maximum prices.* (1) The maximum prices for scrap whole pneumatic tire casings when sold by agencies of the United States Government specified in (a) above, shall be the price for the consuming center listed below to which the freight charge from the seller's shipping point is lowest:

Consuming center:	*Dollars per short ton*
Akron, Ohio	$20.00
Buffalo, New York	19.50
Naugatuck, Connecticut	18.50
East St. Louis, Illinois	18.40
Memphis, Tennessee	17.50
Gadsden, Alabama	16.00
Los Angeles, California	14.00

(2) The maximum price for miscellaneous scrap rubber containing any scrap whole pneumatic tire casings when sold by agencies of the United States Government specified in (a) above, shall be $15.00 per short ton.

(3) All prices established by this order on "as-is, where-is" basis, with packing, shipping and delivery costs at the buyer's expense.

(c) This order may be revoked or amended at any time.

This order shall become effective March 10, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3545; Filed, Mar. 5, 1945; 11:30 a. m.]

[SR 15, Order 21]

ARIDYE CORPORATION

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) The maximum price for sales of Phoenix Chrome Yellow 2GF manufactured by the Aridye Corporation, Fair Lawn, New Jersey, shall be 55 cents (less 10% on sales to jobbers) plus 18 cents per pound. All discounts, transportation arrangements and trade practice heretofore prevailing on sales of this commodity by any seller shall continue to apply.

(b) With or prior to the first delivery of the aforesaid commodity to a jobber after the effective date of this order, the manufacturer shall furnish such jobber a written notice as follows:

Notice: The Office of Price Administration has permitted an increase in the maximum price for your sales of Phoenix Chrome Yellow to 73 cents per pound. All discounts, transportation arrangements and trade practices heretofore prevailing on sales of this commodity by any seller shall continue to apply.

This order shall become effective March 6, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3542; Filed, Mar. 5, 1945; 11:32 a. m.]

[MPR 136, Amdt. 2 to Order 403]

AMERICAN BRAKE SHOE CO.

AUTHORIZATION OF MAXIMUM PRICES

Amendment No. 2 to Order No. 403 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. American Brake Shoe Company, Kellogg Division. Docket No. 6083-136.25a-163.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended; *It is ordered:* Order No. 403, as amended, under Maximum Price Regulation 136, as amended, is amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) (i) American Brake Shoe Company, Kellogg Division, Rochester, New York, shall determine its Eastern price lists for those items set forth below by multiplying its list prices in effect on December 31, 1941, and stated in its (Eastern) price lists Nos. 101-4, 101-5, 105 and 106-1, by the following applicable percentages:

Item	*Percentage*
Complete standard air compressors	109.5
Simple compressors (pumps)	118.0

(ii) The Western list prices of American Brake Shoe Company, Kellogg Division, for the above items shall be determined by adding to those Western list prices in effect on December 31, 1941, and stated in its (Western) price lists Nos. 101-W-3 and 106-W-1, the dollars and cents amount of the respective increases determined pursuant to paragraph (a) (i) hereof, so as to maintain the price differentials between such Eastern and Western price lists in effect just prior to the issuance of this order.

(iii) The list prices for its paint spraying assemblies, of which the above items are component parts, shall be determined by adding to the list prices in effect just prior to the issuance of this order the dollars and cents amount by which the list prices of such component parts have been increased pursuant to paragraph (a) (i) hereof.

(iv) The maximum prices of American Brake Shoe Company, Kellogg Division, for its sales of any of the items enumerated above shall be the list prices determined as provided herein, subject to the discounts, allowances, extra charges, and terms of delivery in effect to each class of purchasers on December 31, 1941.

2. Paragraph (b) is amended by adding the following sentence:

In computing such increased costs the reseller need not include the effect of quantity discounts which may be allowed to him in addition to his dealers-discounts.

This amendment shall be effective as of January 25, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3543; Filed, Mar. 5, 1945; 11:32 a. m.]

[MPR 136, Order 416]

VICTOR INSULATORS, INC.

APPROVAL OF MAXIMUM PRICES

Order No. 416 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Victor Insulators, Incorporated. Docket No. 6083-136.25a-226.

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, *It is ordered:* (a) The maximum price for sales of the cast porcelain fuse box Victor part No. 2,535,800 by Victor Insulators, Inc., Victor, New York, shall be $1.20 each subject, however, to a discount of $.10 each to all resellers to whom a discount would have been customarily allowed just prior to the issuance of this order.

(b) The maximum price for sales of the cast porcelain fuse box Victor part No. 2,535,800 by resellers shall be determined as follows: The reseller shall add

to the maximum net price he had in effect to a purchaser of the same class just prior to the issuance of this order the dollar-and-cents amount by which his net invoiced cost has been increased by reason of this order.

(c) Victor Insulators, Inc. shall give written notice to each of its resellers of the provisions of this order, and shall file a copy of such notice with the Office of Price Administration, Washington, D. C.

(d) All requests not granted herein are denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective March 7, 1945.

Issued this 5th day of March 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-3544; Filed, Mar. 5, 1945; 11:32 a. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register February 28, 1945.

REGION II

Buffalo Order E-1, covering poultry in certain counties in the State of New York, filed 10:06 a. m.

Pittsburgh Order 3-W, covering dry groceries in certain counties in the State of Pennsylvania, filed 10:07 a. m.

Pittsburgh Order 12, covering dry groceries in certain counties in the State of Pennsylvania, filed 10:06 a. m.

Pittsburgh Order 3-W, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 10:06 a. m.

Pittsburgh Order 12, Amendment 1, covering dry groceries in certain counties in the State of Pennsylvania, filed 10:06 a. m.

Trenton Order 31, covering poultry in certain counties in New Jersey, filed 10:05 a. m.

Trenton Order 32, covering poultry in certain counties in New Jersey, filed 10:05 a. m.

REGION III

Phoenix Order 1-F, Amendment 8, covering fresh fruits and vegetables in the Tucson Area, filed 10:07 a. m.

Sacramento Order 21 under 1-B, covering dairy products in certain counties in California, filed 10:09 a. m.

Sacramento Order 23-F, under 3-B, covering community food prices in the Sacramento-Stockton Area, filed 10:09 a. m.

Sacramento Order 24-F under 3-B, covering community food prices in certain counties in California, filed 10:08 a. m.

Sacramento Order 25-F, under 3-B, covering community food prices in certain counties in California, filed 10:08 a. m.

Sacramento Order 26-F under 3-B, covering community food prices in the Sacramento-Stockton Area, filed 10:08 a. m.

Sacramento Order 27-F under 3-B, covering community food prices in certain counties in California, filed 10:08 a. m.

Sacramento Order 28-F under 3-B, covering community food prices in certain counties in California, filed 10:08 a. m.

San Francisco Order F-2, Amendment 47, covering fresh fruits and vegetables in certain cities in California, filed 10:10 a. m.

San Francisco Order F-3, Amendment 46, covering fresh fruits and vegetables in certain cities in California, filed 10:10 a. m.

San Francisco Order F-4, Amendment 45, covering fresh fruits and vegetables in certain cities in Califronia, filed 10:10 a. m.

San Francisco Order F-5, Amendment 44, covering fresh fruits and vegetables in certain cities in California, filed 10:09 a. m.

San Francisco Order F-6, Amendment 40, covering fresh fruits and vegetables in certain cities in California, filed 10:09 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-3403; Filed, Mar. 2, 1945; 4:05 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register March 1, 1945:

REGION II

Wilmington Order 1-O, Amendment 2, covering fresh eggs in certain areas in Delaware, filed 9:56 a. m.

REGION III

Louisville Order 1-M, Amendment 1, covering beverages in bottles or cans in the Louisville, Ky., Area, filed 9:56 a. m.

REGION IV

Jackson Order 4-F, Amendment 17, covering fresh fruits and vegetables in certain counties in Mississippi, filed 9:52 a. m.

Memphis Order 22, Amendment 5, covering community food prices in the Memphis Area, filed 9:52 a. m.

Roanoke Order 11-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Virginia, filed 9:53 a. m.

Roanoke Order 12-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Virginia, filed 9:53 a. m.

Savannah Order 7-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:55 a. m.

Savannah Order 9-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:54 a. m.

Savannah Order 10-F, Amendment 16, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:54 a. m.

Savannah Order 12-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Georgia, filed 9:53 a. m.

Savannah Order 5-W, Amendment 1, covering certain food items in the Savannah Area, filed 9:56 a. m.

Savannah Order 18 under 1-B, Amendment 3, covering certain food items in the Savannah Area, filed 9:55 a. m.

Savannah Order 19 under 1-B, Amendment 2, covering certain food items in the Savannah Area, filed 9:55 a. m.

REGION V

Dallas Order 1-F, Amendment 51, covering fresh fruits and vegetables in the Dallas, Tex., Area, filed 9:52 a. m.

Kansas City Order 2-F, Amendment 32, covering fresh fruits and vegetables in the Kansas City Area, filed 9:50 a. m.

Lubbock Order 3-F, Amendment 40, covering fresh fruits and vegetables in El Paso County, Tex., filed 9:50 a. m.

Oklahoma City Order 3-F, Amendment 50, covering fresh fruits and vegetables in Oklahoma City, Oklahoma, filed 9:50 a. m.

Shreveport Order 2-F, Amendment 51, covering fresh fruits and vegetables in the Shreveport Area, filed 9:50 a. m.

Shreveport Order 3-F, Amendment 40, covering fresh fruits and vegetables in the Shreveport Area, filed 9:51 a. m.

Tulsa Order 7-F, Amendment 3, covering fresh fruits and vegetables in the Tulsa Area, filed 9:51 a. m.

Tulsa Order 8-F, Amendment 6, covering fresh fruits and vegetables in the Tulsa Area, filed 9:51 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-3404; Filed, Mar. 2, 1945; 4:05 p. m.]

[Wilmington Order G-10 Under Rev. RO 11]

FUEL OIL IN WILMINGTON, DEL., DISTRICT

Pursuant to the authority vested in the District Director of the Wilmington District Office by § 1394.5737 of Revised Ration Order 11; *It is hereby ordered:*

That all registered dealers having any registered dealer establishment with a registered fuel oil storage capacity (as defined in § 1394.5703 of Revised Ration Order 11) of not less than 250 gallons and not more than 999 gallons, registered with any local board under the jurisdiction of the Wilmington District Office shall prepare a statement, giving the required information, on OPA Form R-1198, as of 12:01 a. m. on the first day of April 1945 and as of 12:01 a. m. on each sixth month thereafter for each such establishment and to file that statement with the Wilmington District Office on or before the 25th day of that month. In the event that the dealer has, for any such establishment evidences in excess of the amount he may properly have as of the first day of each such month, under Revised Ration Order 11, he shall surrender to the Wilmington District Office at the time of filing this statement, evidences for each such establishment, equal in gallonage value to such excess, together with a statement explaining the manner in which the excess occurred.

This order shall become effective on March 10, 1945.

NOTE: The reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the provisions of the Federal Reports Act of 1942.

Issued this 3d day of March 1945.

CHARLES N. HOODESTY,
District Director.

[F. R. Doc. 45-3463; Filed, Mar. 3, 1945; 11:27 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1028]

PORTLAND GENERAL ELECTRIC CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 28th day of February, 1945.

Portland General Electric Company, a registered holding company and a subsidiary of Thomas W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company, debtor in reorganization in proceedings pending in the United States District Court for the District of Oregon, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder with respect to the reacquisition of its notes held by The Chase National Bank of the City of New York and Harris Trust and Savings Bank, in the aggregate face amount of $4,889,663 with accrued interest of $1,078,179.

Portland General Electric Company is a party to an agreement of settlement with The Chase National Bank of the City of New York, Harris Trust and Savings Bank, and Thomas W. Delzell and R. L. Clark, Independent Trustees of Portland Electric Power Company. An amendment to the application states that the settlement agreement has been approved by the United States District Court for the District of Oregon, where the controversies to be settled are in litigation. The reacquisition is provided for in this agreement, which disposes, among other things, of litigation pending between the mentioned banks and Portland General Electric Company, in which the validity of the mentioned notes is in issue. Pursuant to the settlement agreement Portland General Electric Company will pay $1,840,505 in cash and deliver 53,500 shares of 6% preferred stock of Consolidated Electric and Gas Company to the banks. The reacquisition of the notes is the only transaction to be undertaken in connection with the consummation of the settlement agreement which is before us for consideration.

Said declaration having been filed on February 10, 1945 and notice of filing having been given in the manner and form prescribed by Rule U-23 under said act and the Commission not having received a request for hearing with respect to said declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective and finding with respect to said declaration that the requirements of section 12 (c) of said act and Rule U-42 promulgated thereunder are satisfied:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that said declaration as amended be and become effective.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 45-3397; Filed, Mar. 2, 1945; 2:30 p. m.]

[File Nos. 54-39, 54-69, 59-65]

LACLEDE GAS LIGHT CO., ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 2d day of March, A. D., 1945.

In the matter of the Laclede Gas Light Company, Laclede Power & Light Company, Phoenix Light, Heat and Power Company, Ogden Corporation, File No. 54-39; Ogden Corporation and subsidiary companies, File No. 54-69; Ogden Corporation and subsidiary companies, Respondents, File No. 59-65.

The Commission, by orders dated May 27, 1944 and December 2, 1944, having approved a plan filed under section 11 (e) by The Laclede Gas Light Company, Laclede Power & Light Company, Phoenix Light, Heat and Power Company (subsidiaries of Ogden Corporation, a registered holding company) and Ogden Corporation, which plan was approved and enforced by the United States District Court for the Eastern District of Missouri, Eastern Division, by order dated December 4, 1944; the Commission having reserved jurisdiction in said orders, among other matters, over the accounting entries relating to the retirement and issuance of securities under the said plan and with respect to the proposed sale by Ogden Corporation pursuant to the provisions of Rule U-50 of the act of the new common stock of The Laclede Gas Light Company issuable to it under the said plan; and the Commission having by order dated March 6, 1942 approved certain transactions specified therein subject to the condition that, until further order of the Commission, no dividends shall be paid on either the preferred or common stock of The Laclede Gas Light Company nor shall that company retire, redeem, or otherwise acquire, any of its outstanding stock, preferred or common;

The above-mentioned companies having filed a statement in the record reflecting the proposed accounting entries relating to the retirement and issuance of the securities under the plan and having requested that the jurisdiction reserved with respect thereto should be released; and having further requested that the jurisdiction reserved with respect to the proposed sale by Ogden Corporation pursuant to the provisions of Rule U-50 of the act of the new common stock of The Laclede Gas Light Company issuable to it under the said plan be released except with respect to the price and spread pertaining to the said sale; and having further requested that the condition contained in the Commission's order dated March 6, 1942 restricting the payment of dividends by The Laclede Gas Light Company or the retirement, redemption, or acquisition by that company of any of its outstanding stocks be eliminated;

The Commission having examined the said proposed accounting entries, the above-described requests for release of jurisdiction, and the proposed elimination of the said condition previously imposed by the Commission's order dated March 6, 1942, and finding that the jurisdiction previously reserved with respect to the said accounting entries and the said sale by Ogden Corporation, pursuant to the provisions of Rule U-50 promulgated under the action of the new common stock of The Laclede Gas Light Company issuable to it under the plan, except with respect to the price and spread pertaining to the said sale, should be released, and that said condition contained in the said order of March 6, 1942 should be eliminated;

It is therefore ordered, That the jurisdiction reserved in the Commission's orders dated May 27, 1944 and December 2, 1944 as to the said accounting entries and the said sale by Ogden Corporation, pursuant to the provisions of Rule U-50 promulgated under the act, of the new common stock of The Laclede Gas Light Company issuable to it under the plan, except with respect to the price and spread pertaining to the said sale, be, and hereby is, released, and that the condition contained in the Commission's order dated March 6, 1942 regarding the payment of dividends on the preferred and common stocks of The Laclede Gas Light Company and the retirement, redemption, or acquisition by that company of any of its outstanding preferred and common stocks be, and hereby is, eliminated.

The said order of the Commission dated May 27, 1944 having contained, at the request of the above-mentioned companies, certain recitals, itemizations, and specifications for the purpose of meeting the requirements of Supplement R of the Internal Revenue Code, as amended; the above-mentioned companies having now requested that the said order be clarified to provide expressly that the application by The Laclede Gas Light Company of $2,200,000 of the proceeds of the sale of the electric properties operated by The Laclede Power & Light Company to Union Electric Company of Missouri towards the retirement of the Refunding and Extension Mortgage 5% Gold Bonds and the First Mortgage Collateral and Refunding 5½% Gold Bonds, Series C and D, of The Laclede Gas Light Company is necessary and appropriate to effectuate the provisions of section 11 (b) of the act; it appearing to the Commission that it is appropriate to grant the request to clarify our order dated May 27, 1944;

It is hereby ordered, For the purpose of clarifying the said order of May 27, 1944, that the said order be amended to contain the following additional order: *"It is hereby ordered*, That the application by The Laclede Gas Light Company of $2,200,000 of the proceeds of the sale of the electric properties operated by the Laclede Power & Light Company to Union Electric Company of Missouri towards the retirement of the Refunding and Extension Mortgage 5% Gold Bonds and the First Mortgage Collateral and Refunding 5½% Gold Bonds, Series C and D, of The Laclede Gas Light Company is necessary and appropriate to effectuate

the provisions of section 11 (b) of the act."

The said order of the Commission dated December 2, 1944 having approved an amendment to the said plan under section 11 (e) filed by the above-mentioned companies providing for the deposit in escrow by The Laclede Gas Light Company of a sum sufficient to pay the redemption premiums on The Laclede Gas Light Company First Mortgage Collateral and Refunding 5½% Bonds and interest thereon for a designated period in the event that final judicial determination of the issue of whether such premiums are payable should require that such premiums be paid; the amendment relating to such deposit in escrow having provided that an escrow agreement not inconsistent with the terms of the plan, as amended, is to be entered into by The Laclede Gas Light Company and the St. Louis Union Trust Company, Trustee under the indenture securing the said bonds; The Laclede Gas Light Company having now submitted such escrow agreement and having requested that the Commission's order dated December 2, 1944 be clarified to include an approval by the Commission of the terms of the said escrow agreement; it appearing to the Commission that it is appropriate to grant such request;

It is hereby ordered, For the purpose of clarifying the said order of December 2, 1944, that the last sentence of the said order be, and hereby is, changed to read as follows: "That pursuant to section 11 (e) of the act, said amended plan, as amended by the amendment dated as of November 16, 1944, and including the escrow agreement proposed to be entered into by The Laclede Gas Light Company and the St. Louis Union Trust Company be, and it is hereby, approved; and that the applications and declarations in connection therewith are approved and permitted to become effective".

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-3493; Filed, Mar. 5, 1945; 9:34 a. m.]

[File No. 70-1037]

UNION ELECTRIC CO. OF MO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of March A. D. 1945.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Union Electric Company of Missouri, a registered holding company; and

Notice is further given that any interested person may not later than March 19, 1945, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application or declaration, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application or declaration which is on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Union Electric Company of Missouri proposes to extend the date of maturity of its presently outstanding promissory notes in the aggregate face amount of $9,000,000, dated June 28, 1944, and bearing interest at the rate of 1½% per annum payable quarterly, from March 28, 1945 to June 28, 1945, pending the permanent financing of the payment thereof. Said promissory notes are held by 44 commercial banks and were heretofore authorized by order of this Commission, dated April 19, 1944 (Holding Company Act Release No. 5005) and were issued to provide in part the funds for the repayment of the open account indebtedness owing by Union Electric Company of Missouri to its subsidiary, Mississippi River Power Company, and a cash capital contribution to that subsidiary. The cash so received by Mississippi River Power Company provided in part the funds for the redemption on July 1, 1944, of its outstanding First Mortgage 5% Bonds in connection with the plan of simplification filed by Mississippi River Power Company (File No. 54-96) pursuant to section 11 (e) of the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-3494; Filed, Mar. 5, 1945; 9:34 a. m.]

[File No. 70-1033]

NEW ENGLAND GAS & ELECTRIC ASSN., AND NEW HAMPSHIRE GAS & ELECTRIC CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of March 1945.

Notice is hereby given that a joint declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New England Gas and Electric Association (New England), a registered holding company, and its subsidiary, New Hampshire Gas and Electric Company (New Hampshire). All interested persons are referred to said declaration or application, which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

New England proposes to donate to New Hampshire all of its holdings of capital stock and income notes of The Derry Electric Company and The Lamprey River Improvement Company, wholly-owned subsidiaries of New England. Such holdings consist of 2,100 shares of no par value capital stock and a 6% income note due May 1, 1978, in the principal amount of $450,000, of The Derry Electric Company, and 1,000 shares of capital stock, par value $100 per share, and a 6% income note due September 1, 1978, in the principal amount of $85,000, of The Lamprey River Improvement Company.

New England states that the proposed transaction is the first part of a general program to reorganize New Hampshire with a view to New England's ultimate disposition of its interest therein, by sale or otherwise, in connection with any plan of reorganization of New England to be filed under section 11 (e) of the act.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective nor said application granted except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on March 20, 1945, at 10:30 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at which time the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration or application (or both) shall become effective or shall be granted. Any person desiring to be heard in such proceeding shall file with the Commission, on or before March 15, 1945, his request therefor as provided by Rule XVII of the Rules of Practice of the Commission.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration or application (or both), particular attention will be directed at the hearing to the following matters and questions:

1. Whether the acquisition by New Hampshire of the securities of The Derry Electric Company and The Lamprey River Improvement Company, satisfies the requirements of section 10 of the act.

2. Whether the proposed transactions are in the public interest and the interest of investors and consumers and in conformity with the applicable provisions of the act and the rules promulgated thereunder.

3. Whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms or conditions in connection with such transactions.

It is further ordered, That notice of such hearing be given to the applicants-declarants and to all other interested persons; said notice to be given to applicants-declarants by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-3495; Filed, Mar. 5, 1945; 9:34 a. m.]

[File No. 70-936]

GEORGIA POWER & LIGHT CO.

ORDER DENYING EXEMPTION FROM COMPETITIVE BIDDING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 2d day of March, A. D. 1945.

Application having been filed by Georgia Power and Light Company under the Public Utility Holding Company Act of 1935 with respect to the issuance and sale by said company of $2,500,000 principal amount of first mortgage bonds;

Said company having requested that such issue and sale be excepted from the provisions of Rule U-50 of the general rules and regulations promulgated under said act; the Commission having duly considered the matter and having this day issued its memorandum opinion herein;

In accordance with said opinion, and pursuant to the applicable provisions of said act and Rule U-50; *It is ordered,* That said request for exception be and hereby is denied.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-3496; Filed, Mar. 5, 1945; 9:34 a. m.]

[File No. 1-509]

HENRY HOLT AND CO., INC.

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of March, A. D. 1945.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the Class A Stock, No. Par Value, of Henry Holt and Company, Inc.;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Wednesday, March 14, 1945, at the office of the Securities and Exchange Commission, 120 Broadway, New York, New York, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That William J. Logan, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 45-3497; Filed, Mar. 5, 1945; 9:34 a. m.]

WAR FOOD ADMINISTRATION.

AMARILLO LIVESTOCK AUCTION CO.

NOTICE AS TO POSTED STOCKYARD

It has been ascertained that the Amarillo Livestock Sales Company stockyards, Amarillo, Texas, posted on November 15, 1938, as coming within the jurisdiction of the Packers and Stockyards Act, 1921, as amended, is now owned and operated by Jay Taylor and E. C. Johnson, partners, doing business as Amarillo Livestock Auction Co., and that the name of the yard is now Amarillo Livestock Auction Co. Therefore, the posted name of the stockyard is changed to Amarillo Livestock Auction Co., and notice of such fact is given to the owners of the stockyard, and to the public by filing notice with the Division of the Federal Register.

(7 U.S.C. 181, et seq.; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Done at Washington, D. C., this 2d day of March 1945.

ASHLEY SELLERS, *Assistant War Food Administrator.*

[F. R. Doc. 45-3400; Filed, Mar. 2, 1945; 3:16 p. m.]

MILK IN DAYTON-SPRINGFIELD, OHIO, MARKETING AREA

NOTICE OF REPORT AND OPPORTUNITY TO FILE EXCEPTIONS WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER REGULATING HANDLING OF MILK

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR, Cum. Supp., 900.1 et seq.), notice is hereby given of the filing with the hearing clerk of this report of the Director of Marketing Services with respect to a proposed marketing agreement and to a proposed order regulating the handling of milk in the Dayton-Springfield, Ohio, marketing area. Interested parties may file exceptions to the report with the hearing clerk, Room 1331, United States Department of Agriculture, Washington, D. C., not later than the close of business of the 10th day after publication of this notice in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

The proceeding was initiated by the Office of Distribution (now Office of Marketing Services) as a result of a written petition filed by the Miami Valley Cooperative Milk Producers Association of Dayton, Ohio. It was concluded that a hearing should be held and, accordingly, a notice of hearing was issued on September 29, 1944 (9 F.R. 12070), and the hearing was set down for October 19, 1944, to be convened at Dayton, Ohio. However, the hearing was postponed to November 13, 1944 (9 F.R. 12605), and because of a second postponement (9 F.R. 13509) was not convened at Dayton until November 28, 1944.

The major issues developed at the hearing were concerned with (1) the need for a marketing order, (2) the character of the commerce in milk and milk products in the proposed marketing area, (3) the size of the marketing area to be regulated, (4) the definition of "producer" and "handler", (5) the classification of milk and milk products, including emergency milk, (6) the levels of class prices and the methods to be used in determining such prices, (7) the amount of administrative assessment, (8) the amount of the deduction from producer payments for marketing services, (9) the method of distributing (pool plan) among producers and associations of producers the proceeds resulting from the disposition of their milk, (10) a payment from the market pool to be made to qualified cooperative associations for activities benefiting producers generally, and (11) the administrative provisions of common application in milk marketing orders.

With respect to these issues it is concluded that:

(1) A marketing order should be issued for the Dayton-Springfield, marketing area;

(2) All milk of producers, as defined herein, is in the current of interstate commerce or directly burdens, obstructs, or affects interstate commerce, in milk or its products,

(3) The marketing area to be covered should embrace the cities of Dayton, Oakwood and Springfield; the townships of Bath and Miami, in Greene County; the townships of Miami, Jefferson, Madison, Van Buren, Harrison, Butler, Mad River, and Washington, in Montgomery County; and German township, in Clark County; all in the State of Ohio;

(4) The term "producer" should include only those farmers producing milk under dairy farm inspection permits or other equivalent certification issued by

the respective health authorities having jurisdiction in the said marketing area which is received by a handler at a plant from which Class I milk is disposed of in the marketing area or caused by him to be delivered to a plant from which Class I milk is not disposed of in the marketing area; the term "handler" should include (1) any person who receives milk (including any milk from his own farm production) at a plan from which Class I (fluid milk, including reconstituted milk, skim milk or buttermilk, flavored milk or flavored milk drinks) is disposed of on wholesale or retail routes or through stores in the said marketing area, and (2) any cooperative association or person referred to in (1) of this paragraph with respect to any milk produced under a dairy farm inspection permit or other equivalent certification issued by the applicable health authority which he causes to be delivered to a plant from which Class I milk is not disposed of in the marketing area. The latter term would include persons who are engaged in the distribution and sale of milk and those products normally associated with the "fluid milk industry"; it would exclude those persons who are engaged exclusively in the manufacture and sale of ice cream or other dairy products not mentioned above.

(5) The classes of utilization for milk and milk products should be as set forth in section 4 (b) of the provisions of this report. The method of computing the quantity of producers' milk in each class should follow, except in minor respects, the proposal on this subject submitted for hearing by the Dairy and Poultry Branch. Classification should be made on the basis of the utilization of skim milk and butterfat, the components of milk.

(6) The class prices should be computed on a formula basis and should accommodate the plan of classifying milk according to the utilization of its components, skim milk and butterfat. (The formula proposed would result in a current price per hundredweight for Class I milk of 4.0 percent butterfat content of $3.65. The current price for Class II milk of similar butterfat test would be $3.35 per hundredweight).

(7) The administrative assessment on handlers to cover the administrative costs of the order should not exceed 2 cents per hundredweight on all skim milk and butterfat received by them.

(8) The deduction from producer payments to cover marketing service expenses should not exceed 5 cents per hundredweight of milk.

(9) Producers and associations of producers delivering milk to all handlers should be paid uniform prices for all milk so delivered, irrespective of the uses made of such milk by the individual handler to whom it is delivered (market-wide pool plan).

(10) Cooperative association payments should be made from the pool value of milk.

(11) Certain provisions primarily of an administrative nature, necessary to the administration and enforcement of the substantive provisions, should be included.

The following proposed order is recommended as the detailed means by which these conclusions may be carried out. The proposed marketing agreement is not included in this report because its main provisions are identical with those set forth in the proposed order.

Findings. Upon the basis of the evidence introduced in the public hearing and the record thereof, it is hereby found that:

(1) The issuance of this order regulating the handling of milk in the said marketing area, and all the terms and conditions of this order, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) All milk of producers, as defined herein, is in the current of interstate commerce, or directly burdens, obstructs, or affects interstate commerce, in milk or its products; and

(4) The issuance of this order is the only practical means pursuant to the act to advance the interests of the producers of milk which is produced for sale in the said marketing area.

It is hereby ordered, That such handling of milk of producers for the Dayton-Springfield, Ohio, marketing area as is in the current of interstate commerce, or as directly burdens, obstructs, or affects interstate commerce, in milk or its products, shall from the effective date hereof be in compliance with the following terms and conditions:

Provisions

SECTION 1. *Definitions.* The following terms shall have the following meanings:

(a) "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937 (50 Stat. 246 (1937)), as amended (7 U.S.C. 1940 ed. 601 et seq.).

(b) "War Food Administrator" means the War Food Administrator of the United States, or any other officer or employee of the United States authorized to exercise the powers, or to perform the duties, of the War Food Administrator of the United States with reference to the act.

(c) "Dayton-Springfield, Ohio, marketing area," hereinafter called the "marketing area," means the cities of Dayton, Oakwood, and Springfield; the townships of Bath and Miami, in Greene County; the townships of Miami, Jefferson, Madison, Van Buren, Harrison, Butler, Mad River, and Washington, in Montgomery County; and German township, in Clark County; all in the State of Ohio.

(d) "Person" means any individual, partnership, corporation, association or any other business unit.

(e) "Producer" means any person who produces, under a dairy farm inspection permit or other equivalent certification issued by the applicable health authority, milk which is (1) received at a plant from which Class I milk is disposed of in the marketing area, or (2) caused by a handler to be delivered to a plant from which Class I milk is not disposed of in the marketing area.

(f) "Handler" means (1) any person, except a person who receives emergency milk only, who, on his own behalf or on behalf of others, receives milk (including any milk from his own farm production) at a plant from which Class I milk is disposed of in the marketing area, or (2) any cooperative association, or other person included under (1) of this paragraph, with respect to any milk produced under a dairy farm inspection permit or other equivalent certification issued by the applicable health authority which such cooperative association or person causes to be delivered to a plant from which Class I milk is not disposed of in the marketing area. Milk caused to be delivered by a handler in accordance with (2) of this paragraph shall be considered as having been received by such handler. With respect to milk caused by a handler to be delivered directly from the producer's farm to another handler, the handler to be considered as receiving such milk shall be determined by written agreement between the two handlers filed with the market administrator on or before the 5th day after the first month during which it becomes effective, or in the absence of such an agreement, shall be determined by the market administrator.

(g) "Emergency milk" means any skim milk or butterfat in milk, skim milk, plain condensed skim milk or condensed whole milk, or cream received by a handler from sources other than producers under a permit for its receipt as an emergency supply, issued to him by the applicable health authority.

(h) "Cooperative association" means any cooperative association of producers which, as determined by the War Food Administrator, has (1) its entire activities under the control of its members, and (2) meets the standards set forth in the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act."

(i) "Month" means calendar month.

(j) "Department of Agriculture" means the United States Department of Agriculture or any Federal agency as may be authorized to perform the respective function or functions associated herein with the term Department of Agriculture.

SEC. 2. *Market administrator* — (a) *Designation.* The agency for the administration hereof shall be a market administrator, who shall be a person selected by the War Food Administrator. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the War Food Administrator.

(b) *Powers.* The market administrator shall have the power:

(1) To administer this order in accordance with its terms and provisions;

(2) To receive, investigate and report to the War Food Administrator complaints of violations of the provisions hereof; and

(3) To make rules and regulations to effectuate the terms and provisions hereof.

(c) Duties. The market administrator, in addition to the duties hereinafter described, shall:

(1) Within 45 days following the date on which he enters upon his duties execute and deliver to the War Food Administrator a bond, effective as of the date on which he enters upon his duties as market administrator and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the War Food Administrator;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(3) Pay, out of the funds provided by section 9, the cost of his bond and of the bonds of those of his employees who handle funds entrusted to the market administrator, his own compensation, and all other expenses, except those incurred under section 10 hereof, which will necessarily be incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(4) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the War Food Administrator, surrender the same to his successor or to such other person as the War Food Administrator may designate;

(5) Publicly disclose to handlers and producers, unless otherwise directed by the War Food Administrator, the name of any person who, within 2 days after the day upon which he is required to perform such acts, has not made (i) reports pursuant to section 3 (a) or (ii) payments pursuant to section 8;

(6) Furnish such information and verified reports as the War Food Administrator may request, and submit his books and records to examination by the War Food Administrator at any and all times;

(7) On or before the 10th day of each month, report to each cooperative association for the preceding month, with respect to each handler, the utilization, on a pro rata basis, of milk of producers, payment for which is to be made to such cooperative association pursuant to section 8 (a) (2); and

(8) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any person upon whose utilization the classification of milk depends.

SEC. 3. *Reports, records, and facilities*—(a) *Monthly reports of receipts and utilization.* On or before the 5th day of each month, each handler, except as otherwise provided in (b) (2) of this section, shall report to the market administrator for the preceding month, in the detail and on forms prescribed by the latter, (1) the quantities and sources of all milk, skim milk, cream and other milk products received; (2) the utilization thereof; and (3) such other information with respect to such receipts and utilization as the market administrator may request.

(b) *Other reports.* (1) On or before the day a handler receives emergency milk, he shall report his intention to receive such milk.

(2) Each handler who receives at his plant only milk from his own farm production or from other handlers shall make reports to the market administrator at such time and in such manner as the market administrator may request.

(c) *Records and facilities.* Each handler shall maintain, and make available to the market administrator or to his representative during the usual hours of business, such accounts and records of his operations and such facilities as, in the opinion of the market administrator, are necessary to verify, or to establish the correct data with respect to (1) the utilization, in whatever form, of all skim milk and butterfat received; (2) the weights, samples and tests for butterfat content of all milk and milk products previously received or utilized or currently being received or utilized; and (3) payments to producers.

SEC. 4. *Classification*—(a) *Basis of classification.* All skim milk and butterfat contained in milk, or in skim milk, cream, and other milk products received by a handler at a plant from which Class I milk is disposed of in the marketing area or caused to be delivered in the manner described in section 1 (f) (2) shall be classified by the market administrator in the classes set forth in (b) of this section.

(b) *Classes of utilization.* Subject to the conditions set forth in (c) and (d) of this section, the classes of utilization shall be:

(1) Class I milk shall be all skim milk and butterfat disposed of in fluid form (except that which has been dumped or disposed of for livestock feeding) as milk, including reconstituted milk, skim milk, buttermilk, flavored milk or flavored milk drinks, or all skim milk or butterfat not specifically accounted for as Class II or Class III milk.

(2) Class II milk shall be all skim milk and butterfat disposed of (i) in fluid form as sweet or sour cream; (ii) in fluid form as any mixture of cream and milk (or skim milk) which contains 8 percent or more but less than 18 percent of butterfat; or (iii) as cottage cheese.

(3) Class III milk shall be all skim milk and butterfat specifically accounted for as (i) used to produce, or disposed of as, ice cream, ice cream mix, frozen cream, condensed milk, condensed skim milk, or any other milk product not specified in Class I and Class II milk; (ii) having been dumped or disposed of for livestock feeding; or (iii) plant shrinkage but not in excess of 1 percent, respectively, of the total receipts of skim milk or butterfat, not including skim milk or butterfat received from other handlers.

(c) *Responsibility of handlers and reclassification of milk.* (1) In establishing the classification of skim milk and butterfat as required in (b) and (d) of this section, the burden rests upon the handler to account for all skim milk and butterfat received by him and to prove to the market administrator that such skim milk or butterfat should not be classified as Class I milk.

(2) Skim milk or butterfat classified in one class shall be reclassified if later used or disposed of by a handler in another class, in accordance with such later use or disposition.

(d) *Transfers.* (1) Subject to the conditions set forth in (c) of this section, skim milk or butterfat when transferred in fluid form as milk, skim milk, flavored milk, flavored milk drinks, or buttermilk by a handler who receives milk from producers shall be classified (i) in the class as agreed upon by both handlers if transferred to a handler other than as described in (ii) of this subparagraph, subject to verification by the market administrator; (ii) as Class I milk, if transferred to a handler who receives no milk from producers other than such handler's own farm production; and (iii) as Class I milk if transferred by a handler to a person other than a handler who distributes milk in fluid form or manufactures milk products: *Provided,* That if the selling handler on or before the 5th day after the end of the month during which the transfer was made furnishes to the market administrator a statement which is signed by the buyer and the seller that such skim milk or butterfat was used as a product covered by Class II or Class III milk, such skim milk or butterfat shall be classified accordingly, subject to verification by the market administrator.

(2) Subject to the conditions set forth in (c) of this section, skim milk and butterfat when transferred in fluid form as cream from a handler who receives milk from producers shall be classified (i) in the class as agreed upon by both handlers if transferred to a handler other than as described in (ii) of this subparagraph, subject to verification by the market administrator; (ii) as Class II milk if transferred to a handler who receives no milk from producers other than such handler's own farm production and (iii) as Class II milk if transferred by a handler to a person other than a handler who distributes cream in fluid form or manufactures milk products: *Provided,* That if the selling handler on or before the 5th day after the end of the month during which the transfer was made furnishes to the market administrator a statement which is signed by the buyer and the seller that such skim milk and butterfat was used as a product covered by Class I or Class III milk, such skim milk and butterfat shall be classified accordingly, subject to verification by the market administrator.

(e) *Computation of the skim milk and butterfat in each class.* For each month the market administrator shall correct for mathematical and for other obvious errors the monthly report submitted by

each handler and compute the respective amounts of skim milk and butterfat from milk of producers in Class I milk, Class II milk, and Class III milk, as follows:

(1) Determine the handler's total receipts by adding together the total pounds of milk, skim milk, and cream received, and the pounds of butterfat and skim milk used to produce all other milk products received;

(2) Determine the total pounds of butterfat contained in the receipts computed pursuant to (1) of this paragraph:

(3) Determine the total pounds of skim milk contained in the receipts computed pursuant to (1) of this paragraph:

(4) Determine the total pounds of butterfat in Class I milk by: (i) computing the sum of the pounds of butterfat disposed of in each of the several items of Class I milk; and (ii) adding all other butterfat not specifically accounted for as Class II or Class III milk;

(5) Determine the total pounds of skim milk in Class I milk by: (i) computing the sum of the pounds (not including flavoring materials) disposed of as each of the several items of Class I milk; (ii) subtracting the result obtained in (4) (i) of this paragraph; and (iii) adding all other skim milk not specifically accounted for as Class II or Class III milk;

(6) Determine the total pounds of butterfat in Class II milk by: computing the sum of the pounds of butterfat disposed of in each of the several items of Class II milk;

(7) Determine the total pounds of skim milk in Class II milk by: (i) computing the sum of the pounds of milk, skim milk, and cream disposed of in each of the several items of Class II milk; and (ii) subtracting the result obtained in (6) of this paragraph;

(8) Determine the total pounds of butterfat in Class III milk by: (i) Computing the sum of the pounds of butterfat used to produce each of the several items of Class III milk; and (ii) adding the plant shrinkage of butterfat computed pursuant to (b) (3) (iii) of this section;

(9) Determine the total pounds of skim milk in Class III milk by: (i) Computing the sum of the pounds of milk, skim milk, cream and other milk products which were used to produce each of the several items of Class III milk; (ii) subtracting the result obtained in (8) (i) of this paragraph; and (iii) adding the plant shrinkage of skim milk computed pursuant to (b) (3) (iii) of this section;

(10) Determine the classification of milk received from producers by: (i) Subtracting, respectively, from the total pounds of skim milk and butterfat in each class, in series beginning with Class III milk, the pounds of skim milk and butterfat received from sources other than producers or handlers, which is not emergency milk; (ii) subtracting, respectively, from the remaining pounds of skim milk and butterfat in each class, in series beginning with Class III milk, the pounds of skim milk and butterfat in emergency milk; (iii) subtracting, respectively, from the remaining pounds of skim milk and butterfat in each class, in series beginning with Class III milk, the pounds of skim milk and butterfat received from any handler who receives no milk from producers other than such handler's own farm production; (iv) subtracting, respectively, from the remaining pounds of skim milk and butterfat in each class, the pounds of skim milk and butterfat received from handlers other than those described in (iii) above, and used in each class; and (v) subtracting, respectively, from the remaining pounds of skim milk and butterfat in each class in series beginning with Class III milk, the pounds of skim milk and butterfat by which the total pounds, respectively, in all classes exceed the pounds of milk received from producers.

SEC 5. *Minimum prices*—(a) *Basic formula price to be used in determining Class I and Class II milk prices.* The basic formula price per hundredweight of milk to be used in determining the Class I and Class II milk prices provided by this section, shall be the higher of the prices per hundredweight of milk of 3.5 percent butterfat content determined pursuant to (1) or (2) of this paragraph:

(1) The average of the basic (or field) prices ascertained to have been paid for milk of 3.5 percent butterfat content received during the month at the following places for which prices are reported to the market administrator by the companies listed below or by the Department of Agriculture:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mt. Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(2) (i) Multiply the average wholesale price per pound of 92-score butter at Chicago for the month as reported by the Department of Agriculture by six (6).

(ii) Add 2.4 times the average weekly prevailing price per pound of "Twins" during the month on the Wisconsin Cheese Exchange at Plymouth, Wisconsin: *Provided*, That if the price of "Twins" is not quoted on the Wisconsin Cheese Exchange the weekly prevailing price of "Cheddars" shall be deemed to be the prevailing price for "Twins" and shall be used in determining the price pursuant to this subparagraph.

(iii) Divide by seven (7) and add 30 percent to the resulting figure;

(iv) Multiply the resulting figure computed in subparagraph (iii) above by 3.5.

(b) *Class I milk prices.* The prices, f. o. b. the handler's plant, for each month, for skim milk and butterfat in milk received from producers which is classified as Class I milk shall be determined from the following schedule:

During a month when the higher of the prices pursuant to (a) (1) or (a) (2) is—	The prices per hundredweight for skim milk and butterfat in Class I milk shall be—		
	Skim milk	Butterfat	Milk containing 4.0 percent butterfat
Under $2.00	$0.938	$50.00	$2.90
$2.00 or over, but under $2.25	.990	55.00	3.15
$2.25 or over, but under $2.50	1.042	60.00	3.40
$2.50 or over, but under $2.75	1.094	65.00	3.65
$2.75 or over, but under $3.00	1.146	70.00	3.90
$3.00 or over, but under $3.25	1.198	75.00	4.15
$3.25 or over	1.250	80.00	4.40

(c) *Class II milk prices.* The prices, f. o. b., the handler's plant, for each month, for skim milk and butterfat in milk received from producers which is classified as Class II milk shall be determined from the following schedule:

During a month when the prices per hundredweight of skim milk and butterfat in Class I milk (section 5 (b) (1)) are—		The prices per hundredweight of skim milk and butterfat in Class II milk shall be—		
Skim milk	Butterfat	Skim milk	Butterfat	Milk containing 4.0 percent butterfat
$0.938	$50.00	$0.834	$45.00	$2.60
.990	55.00	.886	50.00	2.85
1.042	60.00	.938	55.00	3.10
1.094	65.00	.990	60.00	3.35
1.146	70.00	1.042	65.00	3.60
1.198	75.00	1.094	70.00	3.85
1.250	80.00	1.146	75.00	4.10

(d) *Class III milk prices.* The prices, f. o. b., the handler's plant, for each month, for skim milk and butterfat in milk received from producers which is classified as Class III milk shall be determined from the following computations:

(1) The price per hundredweight of such skim milk shall be computed by the market administrator by: Subtracting 4 cents from the average price per pound of nonfat dry milk solids and multiplying the result by 8.5. The price per pound of nonfat dry milk solids to be used shall be the average of the carlot prices for nonfat dry milk solids, roller process for human consumption, delivered at Chicago, as reported by the Department of Agriculture for the month in which the milk from producers was received, including in such average the prices published for any fractional part of the previous month which were not available at the time of such average price determination for the previous month.

(2) The price per hundredweight of such butterfat shall be computed by the market administrator by: Adding 20 percent to the average wholesale price per pound of 92-score butter in the Chicago market, as reported by the Department of Agriculture during the month in which the milk from producers was received, and multiplying the resulting sum by 100: *Provided*, That the price per hundredweight of butterfat made into butter shall be such price per hundredweight less $3.60.

(e) *Emergency price provisions.* (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose, the market administrator shall add to the specified price the amount of any subsidy, or other similar payment, being made by any Federal agency in connection with the milk, or product, associated with the price specified: *Provided,* That if for any reason the price specified is not reported or published as indicated, the market administrator shall use the applicable maximum uniform price established by regulations of any Federal agency plus the amount of any such subsidy or other similar payment: *Provided further,* That if the specified price is not reported or published and there is no applicable maximum uniform price, or if the specified price is not reported or published and the War Food Administrator determines that the market price is below the applicable maximum uniform price, the market administrator shall use a price determined by the War Food Administrator to be equivalent to or comparable with the price specified.

(2) Whenever the War Food Administrator finds and announces that the Class I or Class II price computed for any month pursuant to (b) and (c) of this section is above a level which is in the public interest, the Class I or Class II price for such month shall be the same as the Class I or Class II price for the month immediately preceding: *Provided,* That if for subsequent months the formulas provided by section 5 (a), (b), and (c) result in lower prices, such respective lower prices shall prevail.

SEC. 6. *Application of provisions*—(a) *Handlers who are also producers.* Sections 5, 7, 8, 9, 10, 11, and 12 shall not apply to a handler who receives at his plant only milk of his own farm production or from other handlers.

SEC. 7. *Handler's obligation and uniform price to producers*—(a) *Value of milk.* The value of milk of each handler for each month shall be a sum of money computed by the market administrator by multiplying by the respective class prices the amounts of skim milk and butterfat in each class which were received in milk from producers or from a cooperative association during the month, and adding together such amounts: *Provided,* That if a handler, after the subtraction of receipts from other handlers and from all other sources except producers, has disposed of skim milk or butterfat in excess of the skim milk or butterfat which, on the basis of his reports, has been credited to his producers as having been received from them, the market administrator shall add an amount equal to the value of such skim milk or butterfat at the applicable price for the class from which such skim milk or butterfat was subtracted pursuant to section 4 (e) (10) (v): *Provided further,* That if a handler has received milk, skim milk, or cream from a handler who receives no milk from producers other than his own farm production which has been disposed of as Class I milk or Class II milk by the receiving handler, there shall be added an amount computed by multiplying the respective quantities of skim milk or butterfat so received by the difference between the Class III value and the value of the class of disposition: *And provided further,* That if, in the verification of reports or payments of such handler for any previous month, the market administrator discovers errors which result in payments due the producer-settlement fund or the handler, there shall be added or subtracted, as the case may be, the amount necessary to correct such errors.

(b) *Notification to handler of his value of milk and relation to producer-settlement fund.* On or before the 9th day of each month the market administrator shall notify each handler of the value of his milk for the preceding month as computed in accordance with (a) of this section and of the amount by which such value is greater or less than the total amount required to be paid to producers by such handler pursuant to section 8 (a).

(c) *Computation of the uniform price.* For each month the market administrator shall compute, with respect to milk of producers, separate uniform prices per hundredweight of such milk and of the skim milk and butterfat contained therein by:

(1) Combining into one total the values for skim milk of all handlers who made payments pursuant to section 8 (b) for the previous month, and combining into a separate total the values for butterfat of all handlers who made payments pursuant to section 8 (b) for the previous month;

(2) Adding, proportionately to each total so computed, an amount representing not less than one-half the unobligated balance in the producer-settlement fund;

(3) Subtracting, proportionately from each amount computed under (2) of this paragraph, an amount equivalent to the monies to be retained pursuant to section 12 (b);

(4) Dividing, respectively, the resulting amounts by the hundredweight of pooled skim milk and pooled butterfat;

(5) Adding, proportionately, the balance in the producer-settlement fund not reserved for payment to cooperative associations under section 12 (b); and

(6) Subtracting, from the respective amounts determined under (5) above, not less than 4 cents nor more than 5 cents. The results shall be known, respectively, as the uniform price per hundredweight for (i) skim milk and (ii) butterfat, in milk received from producers. The uniform price for milk containing 3.8 percent butterfat received from producers shall be the sum of the values of 96.2 pounds of skim milk and 3.8 pounds of butterfat at their respective uniform prices.

(d) *Butterfat differential to producers.* For each month the market administrator shall compute to the nearest one-tenth cent a butterfat differential as follows: subtract from the uniform price per hundredweight of butterfat the uniform price per hundredweight of skim milk, and divide the result by 1,000.

(e) *Announcement of prices.* (1) On or before the 6th day of each month the market administrator shall notify all handlers and make public announcement of the class prices for skim milk and butterfat received from producers or an association of producers during the previous month.

(2) On or before the 10th day of each month the market administrator shall notify all handlers and make public announcement of the uniform prices computed pursuant to (c) of this section for the previous month, and of the butterfat differential computed pursuant to (d) of this section for the previous month.

SEC. 8. *Payment for milk*—(a) *Time and method of final payment.* Each handler shall make payment, subject to the butterfat differential announced pursuant to section 7 (e) (2), after deducting the amount of the payment made pursuant to (b) of this section, for all milk received from producers or from a cooperative association during each month, as follows:

(1) Except as set forth in (2) of this paragraph, to each producer, on or before the 15th day after such month, at not less than the uniform price per hundredweight for milk of 3.8 percent butterfat.

(2) To a cooperative association for milk of producers from whom such cooperative association has received written authorization to collect payment, on or before the 14th day after such month, of a total amount equal to not less than the sum of the individual amounts otherwise payable to such producers under (1) of this paragraph.

(b) *Partial payments.* (1) On or before the 25th day of each month, each handler shall make payment, except as set forth in (2) of this paragraph, to each producer at not less than $2.00 per hundredweight for the milk of such producer which was received by such handler during the first 15 days of such month.

(2) On or before the 24th day of each month, each handler shall make payment to a cooperative association for milk of producers from whom such cooperative association has received written authorization to collect payment, at not less than $2.00 per hundredweight for all such milk which was received by such handler during the first 15 days of such month.

(c) *Producer-settlement fund.* The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to (d) of this section and out of which he shall make all payments to handlers pursuant to (e) of this section: *Provided,* That the market administrator shall offset any such payment due any handler against payments due from such handler.

(d) *Payments to the producer-settlement fund.* On or before the 12th day after each month, each handler shall pay to the market administrator for payment to producers through the producer-settlement fund the amount by

which the total value of his milk for such month is greater than the sum required to be paid producers by such handler pursuant to (a) of this section.

(e) *Payments out of the producer-settlement fund.* (1) On or before the 14th day after each month the market administrator shall pay to each handler for payment to producers the amount by which the sum required to be paid producers by such handler pursuant to (a) of this section is greater than the total value of the milk of such handler for such month.

(2) If the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who, on the 14th day after each month, has not received full payment for such month from the market administrator pursuant to this paragraph shall be deemed to be in violation of (a) of this section if he reduces his payments per hundredweight to producers or to a cooperative association by not more than the amount of the reduction in payment from the producer-settlement fund.

(f) *Adjustment of errors.* Whenever verification by the market administrator of the payment by a handler to a producer or to a cooperative association, pursuant to (a) or (b) of this section, discloses payment of less than is required, the handler shall make up such payment not later than the time for making payment pursuant to (a) or (b) of this section next following such disclosure.

SEC. 9. *Expense of administration.* As his prorata share of the expense which will be necessarily incurred in the maintenance and functioning of the office of the market administrator, and in the performance of the duties of the market administrator, each handler, with respect to all skim milk and butterfat, except receipts from other handlers, received by him during each month, shall pay to the market administrator, on or before the 12th day after the end of such month, that amount per hundredweight not to exceed 2 cents, which is determined (subject to review by the War Food Administrator) and announced by the market administrator on or before the 9th day after the end of such month: *Provided,* That any cooperative association shall pay such prorata share of expense of administration on only that milk with respect to which it is a handler.

SEC. 10. *Marketing services*—(a) *Deductions.* Except as set forth in (b) of this section, each handler shall deduct an amount not exceeding 5 cents per hundredweight (the exact amount to be determined by the market administrator, subject to review by the War Food Administrator) from the payments made to producers pursuant to section 8, with respect to all milk received by such handler during each month from producers, and shall pay such deductions to the market administrator on or before the 12th day after such month. Such moneys shall be used by the market administrator to verify weights, samples, and tests of milk received by handlers from producers and to provide such producers with market information, such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *By cooperative associations.* In the case of producers for whom a cooperative association is actually performing, as determined by the War Food Administrator, the services set forth in (a) of this section, each handler shall make, in lieu of the deductions specified in (a) of this section, such deductions from the payments to be made to such producers as may have been authorized by such producers and, on or before the 14th day after each month, pay over such deductions to the cooperative association rendering such services.

SEC. 11. *Cooperative association payments*—(a) *Eligibility.* Upon application to the War Food Administrator, any cooperative association duly organized under the laws of any State which he determines, after appropriate inquiry or investigation, to be conforming to the provisions of such laws; to be operating as a producer-controlled marketing association exercising full authority in the sale of milk of, and assuming responsibility for making payments to some of its members; to be maintaining individually or in collaboration with other qualified cooperative associations, a competent staff for dealing with marketing problems and to be complying with all provisions hereof applicable to such cooperative association, shall be entitled, under the further conditions hereinafter specified, to receive payments on and after such date as the War Food Administrator shall deem to be appropriate, until the time as of which such payments have been suspended in the manner provided in (d) of this section:

(1) At the rate of one-half cent per hundredweight on all milk (i) marketed by it on behalf of those members for whom it is exercising full authority in the sale of milk and is assuming responsibility for making payments, and (ii) on which reports and payments have been made as required under sections 3 (a) and 8.

(b) *Payment.* The market administrator, upon receiving from a cooperative association an application for payments pursuant to this section, shall retain for each month thereafter in the producer-settlement fund such sum as he estimates is ample to make such payments to the applicant. Such sum shall be held in reserve until the War Food Administrator has ruled upon said application and, when the application has been ruled upon, the market administrator shall make payment or issue credit out of such reserve in accordance with said ruling and shall release the balance of the reserved sum, if any, for disposition pursuant to section 7 (c) (5). Also, the market administrator, except as provided in (d) of this section, shall make, on or before the 15th day of each month thereafter, such payments or issue credit therefor out of the producer-settlement fund, subject to verification of the facts upon which the amount of payment is based.

(c) *Reports.* Each cooperative association qualified to receive payments pursuant to this section shall, from time to time as requested by the market administrator, make reports to him with respect to its conformity with any or all of the conditions for qualification or to the use of such payments, and shall file with him a copy of its balance sheet and operating statement at the close of each fiscal year.

(d) *Suspension.* Whenever he has reason to believe that such association is no longer qualified to receive payment, the market administrator shall suspend payment upon his own initiative or upon request by the War Food Administrator, by giving written notice to the cooperative association and to the War Food Administrator. Such suspended payments shall be aggregated and held in reserve until the War Food Administrator, after giving notice and opportunity for hearing, has appraised the performance of the cooperative association in meeting the conditions set forth in (a) of this section, and either has issued an order for a partial or complete payment of funds held in reserive to the cooperative association or an order disqualifying such association. Such an order by the War Food Administrator shall be made effective as of whatever date he may deem appropriate. Any balance of funds held in reserve and not paid to the cooperative association shall be released for disposition pursuant to section 7 (c) (5).

SEC. 12. *Effective time, suspension, or termination*—(a) *Effective time.* The provisions hereof, or any amendment hereto, shall become effective at such time as the War Food Administrator may declare and shall continue in force until suspended or terminated, pursuant to paragraph (b) of this section.

(b) *Suspension or termination.* The War Food Administrator may suspend or terminate this order or any provision hereof, whenever he finds that this order or any provision hereof, obstructs, or does not tend to effectuate the declared policy of the act. This order shall terminate, in any event, whenever the provisions of the act authorizing it cease to be in effect.

(c) *Continuing power and duty of the market administrator.* If, upon the suspension or termination of any or all provisions hereof, there are any obligations arising hereunder, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided,* That any such acts required to be performed by the market administrator shall, if the War Food Administrator so directs, be performed by such other person, persons, or agency as the War Food Administrator may designate.

(d) The market administrator, or such other person as the War Food Administrator may designate, shall (i) continue in such capacity until discharged by the

War Food Administrator, (ii) from time to time account for all receipts and disbursements, and, when so directed by the War Food Administrator, deliver all funds or property on hand, together with the books and records of the market administrator, or such person, to such person, as the War Food Administrator may direct, and (iii) if so directed by the War Food Administrator, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant hereto.

(d) *Liquidation after suspension or termination.* Upon the suspension or termination of any or all provisions hereof, the market administrator, or such person as the War Food Administrator may designate shall, if so directed by the War Food Administrator, liquidate the business of the market administrator's office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions hereof, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

SEC. 13. *Agents.* The War Food Administrator may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

This report filed at Washington, D. C., this 3d day of March 1945.

C. W. KITCHEN,
Director of Marketing Services.

[F. R. Doc. 45-3485; Filed, Mar. 3, 1945; 3:19 p. m.]

Farm Security Administration.

CRAWFORD COUNTY, IND.

DESIGNATION OF LOCALITIES FOR LOANS

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's delegation of authority issued August 2, 1944, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follow:

REGION III

INDIANA

Crawford County

Locality I: Consisting of the township of Jennings	$2,926
Locality II: Consisting of the townships of Liberty, Patoka, Sterling, and Whiskey Run	2,063
Locality III: Consisting of the townships of Boone, Johnson, Ohio, and Union	1,377

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: March 3, 1945.

FRANK HANCOCK,
Administrator.

[F. R. Doc. 45-3520; Filed, Mar. 5, 1945; 11:18 a. m.]

WAR PRODUCTION BOARD.

[C-256, Amdt. 1]

MRS. SCHLORER'S, INC.

CONSENT ORDER

Mrs. Schlorer's, Incorporated, having its place of business at 2525 Dickinson Street, Philadelphia, Pennsylvania, is engaged in the manufacture of mayonnaise, pickles and salad dressings, which are distributed throughout the eastern part of the United States. Consent Order C-256, issued January 24, 1945 reflects that during the second, third and fourth quarters of 1944, the company exceeded its quota in accepting delivery and using new fibre shipping containers for packing mayonnaise and salad dressing, in violation of Limitation Order L-317, in that during the second quarter it exceeded its quota by 152,166 square feet or 20,733 pounds and in the third quarter by 142,860 square feet or 19,355 pounds, and in the fourth quarter by 44,065 square feet with no violation as to weight, making a total of 338,791 square feet and 40,088 pounds.

Since the issuance of this consent order it has been determined that the company figured its quota incorrectly, in that it took 80% of the 1942 base period, in arriving at its quota, when, in fact, it should have taken 85% of its usage of fibre shipping containers for packing mayonnaise and pickles, which results in an increase of quota and a reduction in the excess use. Therefore, on the basis of the correct quota, during the second quarter it exceeded its quota by 122,602 square feet or 17,491 pounds and in the third quarter by 114,340 square feet or 15,279 pounds, and in the fourth quarter by 26,664 square feet with no excess in weight, but on the other hand, 22,029 pounds less than it was entitled to use under the quota, making a total for the three quarters of 263,606 square feet and 10,741 pounds of excess usage and acceptance.

Mrs. Schlorer's, Incorporated, admits the violations as charged by the War Production Board, but denies that it was wilful, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Mrs. Schlorer's, Incorporated, the Regional Compliance Manager and the Regional Attorney, and upon approval of the Compliance Commissioner, *It is hereby ordered,* That:

(a) Mrs. Schlorer's, Incorporated, its successors or assigns, shall reduce its acceptance and use of new fibre shipping containers by 65,900 square feet and 2,685 pounds during each of the four quarters of 1945, under the quota it would otherwise be entitled to accept or use as specified by the provisions of Limitation Order L-317, as amended from time to time, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Mrs. Schlorer's, Incorporated, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 3d day of March 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-3489; Filed, Mar. 3, 1945; 4:25 p. m.]